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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3097/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota for wines of fresh grapes and grape must with fermentation arrested by the addition of alcohol, falling within heading No 22.05 of the Common Customs Tariff and originating entirely in Greece (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the 1979 Act of Accession, and in particular Article 72 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Articles 25 and 64 of the abovementioned Act, customs duties on imports between the Community of Nine and the Hellenic Republic are to be progressively abolished in accordance with a timetable which provides for a reduction of 40 % as from 1 January 1983 to be made on the basic duty, as defined in Article 24 of the said Act; whereas, for wines from fresh grapes and grape must with fermentation arrested by the addition of alcohol, falling within heading No 22.05 of the Common Customs Tariff and originating entirely in Greece, the customs duties applicable in the Community of Nine from 1 January 1983 will be equivalent to the duties applied within the limits of the tariff quota opened for 1980 by Regulation (EEC) No 2634/79 ⁽¹⁾, reduced by 40 %, up to a maximum quantity of 430 000 hectolitres and to 60 % of the Common Customs Tariff duty for the surplus quantities; whereas it is therefore necessary, in order to determine the duty applicable on imports of such wines, to open for the products concerned, from 1 January 1983, a Community tariff quota of 430 000 hectolitres at the rates of duty shown in the table appearing in Article 1;

Whereas it is in particular necessary to guarantee all importers of the Community of Nine equal and uninterrupted access to the said quota and uninterrupted application of the rate laid down for that quota to all imports into the said Community of the products concerned until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected

by allocating the Community tariff quota among the Member States; whereas, to reflect most accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference both to the statistics relating to imports from Greece over a representative period, and to the economic outlook for the quota period concerned;

Whereas, on the basis of the statistics at present available, imports from Greece into the Community of Nine in 1979, 1980 and 1981 of the product concerned have developed as follows and represent the following percentages of total imports into the Community:

Member States	1979	1980	1981
Benelux	51.21	29.81	29.18
Denmark	0.29	0.03	0.95
Germany	37.62	57.51	59.26
France	7.88	9.29	7.05
Ireland	0.02	0.03	0.04
Italy	0.13	0.16	0.11
United Kingdom	2.85	3.17	3.41

Whereas, taking into account these figures and the foreseeable development of the market in the products concerned during 1983 the initial shares in the volume of the quota may be fixed approximately at the following percentages:

Benelux	62.91
Denmark	0.52
Germany	29.35
France	4.43
Ireland	0.35
Italy	0.35
United Kingdom	2.09

⁽¹⁾ OJ No L 306, 3. 12. 1979, p. 6.

Whereas, in order to take into account the import trends for the product concerned in the Member States, the quota volume should be divided into two instalments, the first instalment being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States, should their initial share be used up; whereas, in order to ensure a certain degree of security to importers, the first instalment of the Community quota should be determined at a relatively high level, which under present circumstances could be 90 % of the quota volume;

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

Whereas if, at a specified date in the quota period, a considerable quantity of the initial quota share remains in any Member State, it is essential that the

Member State should return a certain proportion thereof to the reserve, in order to avoid 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 within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1983, a Community tariff quota of 430 000 hectolitres shall be opened in the Community of Nine, for wine of fresh grapes and grape must with fermentation arrested by the addition of alcohol with the exception of resinated wines (retsina), falling within heading No 22.05 of the Common Customs Tariff, originating entirely in Greece.

2. Within this tariff quota, the Common Customs Tariff duty shall be reduced to the levels indicated in the table below:

CCT heading No	Description	NIMEXE code (1981)	Rate of duty
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:		
	A. Sparkling wine	22.05-01, 09	3.6 ECU per hl
	B. Wine in bottles with 'mushroom' stoppers held in place by ties or fastenings, and wine otherwise put up with an excess pressure of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C .	22.05-15	3.6 ECU per hl
	C. Other		
	I. Of an actual alcoholic strength by volume not exceeding 13 °, in containers holding:		
	a) Two litres or less	22.05-16, 17, 18, 19	1.2 ECU per hl ⁽¹⁾
	b) More than two litres	22.05-20, 22, 23, 24	0.9 ECU per hl ⁽¹⁾

⁽¹⁾ The exchange rate to be applied in converting into national currencies the ECU in which the customs duty is expressed shall be the representative rate applicable to wine, if such a rate is fixed for the purpose of the common agricultural policy.

CCT heading No	Description	NIMEXE code (1981)	Rate of duty
22.05 (cont'd)	C. II. Of an actual alcoholic strength by volume exceeding 13° but not exceeding 15°, in containers holding:		
	a) Two litres or less	22.05-26, 27, 28, 29	1.5 ECU per hl ⁽¹⁾
	b) More than two litres	22.05-32, 33, 34, 36	1.1 ECU per hl ⁽¹⁾
	III. Of an actual alcoholic strength by volume exceeding 15° but not exceeding 18°, in containers holding:		
	a) Two litres or less:		
	2. Other	22.05-39	1.8 ECU per hl ⁽¹⁾
	b) More than two litres:		
	3. Other	22.05-49	1.5 ECU per hl ⁽¹⁾
	IV. Of an actual alcoholic strength by volume exceeding 18° but not exceeding 22°, in containers holding:		
	a) Two litres or less:		
	2. Other	22.05-54	2 ECU per hl ⁽¹⁾
	b) More than two litres:		
	3. Other	22.05-68	2 ECU per hl ⁽¹⁾
	V. Of an actual alcoholic strength by volume exceeding 22°, in containers holding:		
	a) Two litres or less	22.05-91	0.1 ECU per hl and per % vol + 1 ECU per hl ⁽¹⁾
	b) More than two litres	22.05-98	0.1 ECU per hl and per % vol ⁽¹⁾

⁽¹⁾ The exchange rate to be applied in converting into national currencies the ECU in which the customs duty is expressed shall be the representative rate applicable to wine, if such a rate is fixed for the purpose of the common agricultural policy.

Article 2

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

2. A first instalment, amounting to 387 000 hectolitres, shall be shared among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1983 shall be as follows:

	hectolitres
Benelux	234 450
Denmark	2 000
Germany	113 600
France	17 150
Ireland	1 350
Italy	1 350
United Kingdom	8 100

3. The second instalment of 43 000 hectolitres shall constitute the reserve.

Article 3

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

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

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by that

Member State has been used up, it shall, in the manner provided for in paragraph 1, draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

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

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

Member States shall return to the reserve, not later than 1 October 1983, the unused portion of their initial share which, on 15 September 1983, is in excess of 20 % of the initial amount. They may return a greater 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 1983, notify the Commission of the total imports of the products concerned effected under and charged against the Community quota up to and including 15 September 1983 and, where appropriate, of the proportion of their initial shares that they are returning to the reserve.

Article 6

The Member States shall be authorized to divide the shares allocated to them or which they have drawn from the reserve into two parts, according to their foreseeable use, reserving one part for wines intended for direct consumption and the other for wines intended for processing.

However, during the marketing year and according to the actual needs which arise, they shall make the necessary adjustments to the original allocations.

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

Done at Brussels, 8 November 1982.

Article 7

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

The Commission shall, not later than 5 October 1983, notify the Member States of the state of the reserve after the return of shares pursuant to Article 5.

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

Article 8

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

2. Member States shall ensure that importers of the said products, established in their territory have free access to the shares allocated to them or drawn from the reserve.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the products in question submitted to the customs authorities under the cover of declarations that they have been made available for free circulation.

Article 9

At the request of the Commission, Member States shall inform it of imports of the products in question actually charged against their shares.

Article 10

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

Article 11

This Regulation shall enter into force on 1 January 1983.

For the Council
The President

H. CHRISTOPHERSEN

COUNCIL REGULATION (EEC) No 3098/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota for silver hake (*Merluccius bilinearis*) falling within subheading ex 03.01 B I t) of the Common Customs Tariff (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, under Article 64 of the Act of Accession of 1979, Greece is required to apply in full the Common tonnes of silver hake (*Merluccius bilinearis*) falling within subheading ex 03.01 B I t) of the Common Customs Tariff; whereas the tariff quota concerned should be opened on 1 January 1983 and allocated between the Member States;

Whereas, under Article 64 of the Act of Accession of 1979, Greece is required to apply in full the Common Customs Tariff duty in respect of the product in question as from 1 January 1981; whereas, therefore, as from that date, it is necessary to cover, in favour of the tariff quotas in question, the requirements of that Member State during the quota period;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of levy for the tariff quota should be applied consistently to all imports until the quota is used up; whereas, in the light of the principles outlined above, a Community tariff arrangement based on an allocation between the Member States would seem to preserve the Community nature of the quota; whereas, to represent as closely as possible the actual development of the market in the said goods, the allocation should follow proportionately the requirements of the Member States calculated both from statistics of imports from third countries during a representative reference period and according to the economic outlook for the tariff year in question;

Whereas, since the fish concerned are not separately specified in the statistical nomenclatures of the Member States, the available import figures provided by them cannot be regarded as sufficiently exact or representative for use as a basis for the allocation referred to above; whereas the incomplete figures available together with the estimates made by the Member States allow the following percentage

estimates to be made as to the import needs of each of them from third countries for the quota period envisaged:

Benelux	0.77
Denmark	23.28
Germany	42.20
Greece	0.01
France	14.81
Ireland	0.38
Italy	0.69
United Kingdom	17.86

Whereas, to take account of the possible import trends for these fish, the quota volume should be divided into two instalments, the first being allocated between the Member States and the second held as a reserve to cover any subsequent requirements of Member States which have used up their initial share;

Whereas, to give importers some degree of certainty, the first instalment of the tariff quota should be fixed at a high level, which in this case could be 65.5 % of the amount of the quota;

Whereas initial shares may be used up 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 each time its additional share is almost used up a Member State should draw a further share and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to keep account of the extent to which the quotas have been used up and to inform the Member States accordingly;

Whereas, if at a given date in the quota period a considerable quantity of a Member State's initial share remains unused it is essential that such State should return a significant proportion thereof to the reserve, in order to prevent a part of the Community tariff quota from remaining unused in one Member State while 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 within and jointly

represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1983, a Community tariff quota of 2 000 tonnes shall be opened within the Community for silver hake (*Merluccius bilinearis*) falling within subheading ex 03.01 B I t) of the Common Customs Tariff.

2. The Common Customs Tariff duty shall be suspended at the level of 8 % within this tariff quota.

Article 2

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

2. A first instalment of 1 310 tonnes shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid from 1 January to 31 December 1983, shall be as follows:

	(tonnes)
Benelux	10
Denmark	305
Germany	552
Greece	1
France	194
Ireland	5
Italy	9
United Kingdom	234

3. The second instalment of 690 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 (2), 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 as necessary to the next whole number.

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, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share, rounded up as necessary to the next whole number.

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, in the manner and to the extent provided in paragraph 1, draw a fourth share equal to the third.

This process shall apply until the reserve is used up.

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.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

Member States shall, not later than 1 October 1983, return to the reserve the unused portion of their initial share which, on 15 September 1983, is in excess of 20 % of the initial volume.

They may return a greater portion if there are grounds for believing that it may not be used in full.

Member States shall, not later than 1 October 1983, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1983 and charged against the Community quota 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 5 October 1983, inform the Member States of the amount still in reserve, following any return of shares pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve 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.

Article 7

1. 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 accumulated shares of the Community quota.

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

3. The Member States shall charge imports of the product in question against their shares as and when the product is entered with the customs authorities for free circulation.

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

Article 8

At the request of the Commission, the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council

The President

H. CHRISTOPHERSEN

COUNCIL REGULATION (EEC) No 3099/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota for frozen cod (*Gadus morrhua*) fillets falling within subheading ex 03.01 B II b) 1 of the Common Customs Tariff (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Community has undertaken to open an annual Community tariff quota at 8 % duty for 10 000 tonnes of frozen cod (*Gadus morrhua*) fillets falling within subheading ex 03.01 B II b) 1 of the Common Customs Tariff; whereas the tariff quota concerned should be opened on 1 January 1983 and allocated between the Member States;

Whereas, under Article 64 of the 1979 Act of Accession, Greece is required to apply in full the Common Customs Tariff duty in respect of the product in question as from 1 January 1981; whereas, therefore, as from that date, it is necessary to cover, in favour of the tariff quotas in question, the requirements of that Member State during the quota period;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of levy for the tariff quota should be applied consistently to all imports until the quota is used up; whereas, in the light of the principles outlined above, a Community tariff arrangement based on an allocation between the Member States would seem to preserve the Community nature of the quota; whereas, to represent as closely as possible the actual development of the market in the said goods, the allocation should follow proportionately the requirements of the Member States calculated both from statistics of imports from third countries during a representative reference period and according to the economic outlook for the tariff year in question;

Whereas, during the last three years for which complete statistics are available, the corresponding imports into each of the Member States represented the following percentages of total imports of the product in question:

Member States	1978	1979	1980
Benelux	0	0.25	0.52
Denmark	26.44	1.70	4.99
Germany	7.95	9.97	23.18
Greece	0	0	0
France	11.21	16.61	15.30
Ireland	0	0	0
Italy	37.64	21.88	10.78
United Kingdom	16.76	49.59	45.50

Whereas, in view of these factors and of market forecasts for this product for 1983, the initial percentage shares in the quota volume can be expressed approximately as follows:

Benelux	0.42
Denmark	8.55
Germany	30.80
Greece	0.09
France	17.11
Ireland	0.09
Italy	0.17
United Kingdom	42.77

Whereas, to take account of future import trends for the products in question in the various Member States, the quota should be divided into two instalments, 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 share; whereas, to give importers in each Member State some degree of certainty, the first instalment of the Community quota should be fixed at a relatively high level, in this case approximately 58 % of the full quota;

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 this method of administration calls for close cooperation between Member States and the Commission, which latter 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, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of the 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 1983, a Community tariff quota of 10 000 tonnes shall be opened within the Community, for frozen cod (*Gadus morrhua*) fillets falling within subheading ex 03.01 B II b) 1 of the Common Customs Tariff.
2. The Common Customs Tariff duty shall be suspended at the level of 8 % within this tariff quota.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.
2. A first instalment of 5 845 tonnes shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid from 1 January to 31 December 1983, shall be as follows:

	(tonnes)
Benelux	25
Denmark	500
Germany	1 800
Greece	5
France	1 000
Ireland	5
Italy	10
United Kingdom	2 500

3. The second instalment of 4 155 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 (2), 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, in the manner and to the extent provided in paragraph 1, 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 ground for so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

Member States shall, not later than 1 October 1983, return to the reserve the unused portion of their initial share which, on 15 September 1983, is in excess of 20 % of the initial volume. They may return a greater portion if there are grounds for believing that it may not be used in full.

Member States shall, not later than 1 October 1983, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1983 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 5 October 1983, 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.

Article 7

1. 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 accumulated shares of the Community quota.

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

3. Member States shall charge imports of the products in question against their shares as and when the products are entered with the customs authorities for free circulation.

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

Article 8

At the request of the Commission, the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

The Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council
The President
H. CHRISTOPHERSEN

**COUNCIL REGULATION (EEC) No 3100/82
of 8 November 1982**

opening, allocating and providing for the administration of a Community tariff quota for dried grapes in immediate containers of a net capacity of 15 kilograms or less, falling within subheading 08.04 B I of the Common Customs Tariff (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission,

Whereas a Community tariff quota for dried grapes in immediate containers of a net capacity of 15 kilograms or less, falling within subheading 08.04 B I of the Common Customs Tariff, should be opened for 1983 at a duty of 2 %, the volume of which shall be limited to 5 000 tonnes, taking into account the existence of Community production;

Whereas, in view of the negligible size of such a quota in comparison with the Community's requirements, a system of utilization should, without derogating from the Community nature of the tariff quota, be provided, based on a single allocation between the Member States; whereas this allocation may be calculated *pro rata* on the basis of the import requirements, of each Member State, coming from third countries not associated with or linked to the Community by a preferential agreement; whereas, in order to safeguard the Community nature of the quota, a share should be allocated to Greece by levying the same quantity on the volume of the quota; whereas, calculated in such a manner, this allocation is as set out in Article 2;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 January to 31 December 1983, a Community tariff quota of 5 000 tonnes shall

be opened for dried grapes in immediate containers of a net capacity of 15 kilograms or less, falling within subheading 08.04 B I of the Common Customs Tariff.

2. Within the limits of this tariff quota, the Common Customs Tariff duty shall be suspended at the level of 2 %.

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the relevant provisions laid down in the 1979 Act of Accession.

3. Imports of the product in question benefiting from the same or lower customs duties under other preferential arrangements shall not be charged against this tariff quota.

Article 2

The tariff quota set out in Article 1 shall be divided among the Member States as follows:

	(tonnes)
Benelux	473
Denmark	200
Germany	1 395
Greece	1
France	341
Ireland	166
Italy	18
United Kingdom	2 406

Article 3

1. Member States shall take all appropriate measures to ensure that importers of the product in question, established in their territory have free access to the shares allocated to them.

2. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the product in question entered with the customs authorities for free circulation.

Article 4

At the Commission's request, Member States shall inform it of the imports actually charged against their shares.

Article 5

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

Article 6

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council
The President
H. CHRISTOPHERSEN

COUNCIL REGULATION (EEC) No 3101/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota for rosin, including 'brais résineux', falling within subheading 38.08 A of the Common Customs Tariff (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission,

Whereas production in the Community of rosin falling within subheading 38.08 A of the Common Customs Tariff is currently insufficient to meet the requirements of the processing industries in the Community; whereas, consequently, Community supplies of products of this type currently depend to a considerable extent on imports from third countries; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms; whereas a nil duty Community tariff quota should therefore be opened within the limits of an appropriate amount; whereas, in order not to jeopardize the balance of the market for this product and to ensure parallel development in outlets for Community production and satisfactory security of supplies for user industries, the volume of the Community tariff quota should be fixed at 12 000 tonnes;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from non-preferential third countries over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, on the basis of the statistics at present available, imports into the Member States in 1978, 1979 and 1980 of the product concerned, originating in these countries, have developed as follows and represent the following percentages of total imports into the Community:

Member States	1978		1979		1980	
	tonnes	%	tonnes	%	tonnes	%
Benelux	2 169	12.98	3 085	18.09	3 370	15.93
Denmark	57	0.34	54	0.32	48	0.23
Germany	4 124	24.68	5 400	31.66	5 527	26.12
Greece	0	0	0	0	0	0
France	5 242	31.37	3 185	18.17	6 410	30.29
Ireland	0	0	0	0	0	0
Italy	578	3.46	466	2.73	1 486	7.02
United Kingdom	4 540	27.17	4 865	28.53	4 291	20.28
Total	16 710		17 055		21 161	

Whereas, taking into account these figures and the foreseeable development of the product concerned during 1983, the initial shares may be fixed approximately at the following percentages:

Benelux 15.69
Denmark 0.29

Germany 27.39
Greece 0.05
France 27.00
Ireland 0.05
Italy 4.60
United Kingdom 24.93

Whereas, in order to take into account import trends for the product concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of those Member States which have used up their initial quota share; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota might under the circumstances be fixed at approximately 90 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota 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 used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that Economic Union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 January to 31 December 1983, the Common Customs Tariff duty for rosin, including 'brais résineux', falling within subheading 38.08 A shall be totally suspended within the limits of a Community tariff quota of 12 000 tonnes.

2. Imports of the product in question benefiting from the same or lower customs duties under preferential arrangements shall not be charged against this tariff quota.

3. Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions laid down in the 1979 Act of Accession.

Article 2

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

2. The first instalment, amounting to 11 000 tonnes, shall be shared among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1983, shall be as follows:

	(tonnes)
Benelux	1 726
Denmark	32
Germany	3 013
Greece	5
France	2 970
Ireland	5
Italy	506
United Kingdom	2 743

3. The second instalment, amounting to 1 000 tonnes, shall constitute the reserve.

Article 3

1. If 90 % or more of any Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 10 % of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 5 % of its initial share.

3. If, after its second share has been used up, 90 % or more of the third share drawn up by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

The Member States shall return to the reserve, not later than 1 October 1983, such unused portion of their initial shares as, on 15 September 1983 is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1983, of the total quantities of the products in question imported up to 15 September 1983 and charged against the tariff quotas and of any quantity of the 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, as soon as it is notified, inform each Member State of the extent to which the reserves have been used up.

It shall inform the Member States, not later than 5 October 1983, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts any reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary 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 accumulated shares of the tariff quota.

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

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports charged under the conditions set in paragraph 3.

Article 8

At the Commission's request, the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council

The President

H. CHRISTOPHERSEN

COUNCIL REGULATION (EEC) No 3102/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota for certain plywoods of coniferous species, falling within heading No ex 44.15 of the Common Customs Tariff (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Community has undertaken to open an annual Community tariff quota of at least 600 000 m³ for certain plywoods of coniferous species, falling within heading No ex 44.15 of the Common Customs Tariff; whereas, under Protocol 11 to the Act of Accession⁽¹⁾, the Community is required to open each year autonomous nil duty Community tariff quotas for the same products the volume thereof to be decided annually when it is established that all possibilities of supply on the internal market of the Community have been exhausted during the period for which the quotas are open; whereas the condition laid down by the said Protocol does not seem to be met at the moment; whereas, in these circumstances, it is appropriate to limit oneself in the first stage to the contractual volume of 600 000 m³; whereas the fixing of the quota volume at this level does not exclude moreover recourse to the provisions of the abovementioned Protocol 11 during the quota period;

Whereas, to take more precise account of future trends in imports of the products concerned, the quota should be divided into two tranches, the first being allocated among all the Member States and the second held as a reserve to cover the subsequent requirements of Member States which have exhausted their initial shares; whereas, in order to offer importers some degree of security, the first tranche of the quota should be fixed at a relatively high level, or about 99 % of its full amount; whereas, on the basis of Member States' estimates for their needs, the initial shares may be fixed as set out in Article 2;

Whereas Member States may use up their initial shares at different rates; whereas, to provide for this eventuality and to avoid disruption of supplies, any Member State which has almost used up its initial share should draw an additional share from the

reserve; whereas, each time its additional share is almost used up, a Member State should draw an additional share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between Member States and the Commission, which latter must, in particular be able to keep a record of the extent to which the quota has been used up and to inform the Member States accordingly;

Whereas if, at a given date in the quota period, a considerable quantity of a Member State's initial share remains unused, it is essential that that Member State should return a significant proportion to the reserve, so as to avoid a part of the 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 within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 January to 31 December 1983, a Community tariff quota of 600 000 m³ shall be opened for the following products falling within heading No ex 44.15 of the Common Customs Tariff:

- (a) plywood of coniferous species, without the addition of other substances, of a thickness greater than 8.5 mm, the faces of which are not further prepared than the peeling process;
- (b) plywood of coniferous species, without the addition of other substances, sanded, and of a thickness greater than 18.5 mm.

2. Imports of the products in question may not be charged against this tariff quota if they are already free of customs duties under other preferential tariff arrangements.

3. The Common Customs Tariff duty shall be totally suspended within the limits of the above quota.

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 170.

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions set out in the 1979 Act of Accession.

Article 2

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

2. A first tranche of 595 000 m³ shall be allocated among the Member States; Member States' shares which, subject to Article 5, shall be valid until 31 December 1983, shall be as follows:

	(cubic metres)
Benelux	154 000
Denmark	65 000
Germany	94 000
Greece	50
France	11 000
Ireland	8 950
Italy	24 000
United Kingdom	238 000

3. The second tranche of 5 000 m³ shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as fixed in Article 2 (2), or of that share minus any portion returned to the reserve where Article 5 has been applied has been used up, that Member State 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 as necessary to the next whole number.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share, rounded up as necessary to the next whole number.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a fourth share equal to the third.

This procedure shall apply until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw lesser shares than those specified therein if there are grounds for believing that those specified may not be used in full. They

shall inform the Commission of their reasons for applying this paragraph.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

Member States shall return to the reserve, not later than 1 October 1983, the unused portions of their initial shares which, on 15 September 1983, are in excess of 20 % of the initial amounts. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall notify the Commission, not later than 1 October 1983, of the total quantities of the products in question imported up to 15 September 1983 and charged against the Community quota 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, as soon as it has been notified, shall inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1983, of the amount still in reserve after amounts have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve 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.

Article 7

1. 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 aggregate shares of the Community quota.

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

3. Member States shall charge imports of the products in question against their shares as and when the products are entered with the customs authorities for free circulation.

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

Article 8

At the Commission's request, Member States shall inform it of the imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council
The President

H. CHRISTOPHERSEN

COUNCIL REGULATION (EEC) No 3103/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota for raw silk (not thrown) falling within heading No 50.02 of the Common Customs Tariff (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission,

Whereas Community production of raw silk (not thrown) falling within heading No 50.02 of the Common Customs Tariff does not cover the needs of the user industries; whereas the supply of the latter therefore depends to a great extent on imports from non-member countries; whereas it is in the interests of the Community to suspend totally the Common Customs Tariff duty on the product in question, within the limits of an appropriate Community tariff quota;

Whereas it is desirable at the present time to avoid final measures which could lead to the halting of action taken in the sector over a number of years to increase Community production; whereas, under such conditions, it is advisable to extend the tariff system in force in 1982;

Whereas Community production does not appear to have changed considerably when compared with 1982; whereas, taking account of this production and of the forecasts for 1983, the imports needed to satisfy consumption within the Community can be estimated at 5 100 tonnes; whereas the fixing of the quota amount at this level does not preclude an adjustment within the quota period;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate laid down for the tariff quota should be applied consistently to all imports of the product in question until the quota is used up; whereas a system of utilization of the Community tariff quota based on an allocation between the Member States concerned would, in the light of the principles outlined above, appear consistent with the Community nature of the quota;

Whereas, in view of these factors, the initial percentage shares in the quota volume for 1983 can be expressed approximately as follows:

Benelux	0.05
Denmark	0.02
Germany	4.59
Greece	0.02
France	22.97
Ireland	0.02
Italy	68.89
United Kingdom	3.44

Whereas, to take account of future trends in imports of the product in question in the various Member States, the quota should be divided into two instalments, the first being distributed among the Member States and the second to form a reserve intended to cover any subsequent requirements of Member States who have used up their initial shares; whereas, in order to ensure a certain degree of security for importers of each Member State, the first instalment should in this case be fixed at about 85 % of the total quota;

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

Whereas if, at a given date in the quota period, a considerable quantity of the initial share is left over in a Member State, it is essential that that Member State should return a significant percentage thereof to the reserve, so as to avoid a part of the Community tariff 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 within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1983, the autonomous duty of the Common Customs Tariff for raw silk (not thrown) falling within heading No 50.02 shall be totally suspended within a Community tariff quota of 5 100 tonnes.

2. Within the limits of the tariff quota referred to in paragraph 1, Greece shall apply duties calculated in accordance with the relevant provisions of the Act of Accession of 1979.

Article 2

1. A first instalment of 4 355 tonnes of this Community tariff quota shall be allocated among the Member States; Member States' shares, which, subject to Article 5, shall be valid until 31 December 1983, shall be as follows:

	(tonnes)
Benelux	2
Denmark	1
Germany	200
Greece	1
France	1 000
Ireland	1
Italy	3 000
United Kingdom	150

2. The second instalment of 745 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 10 % of its initial share, rounded up where necessary to the next whole number, to the extent permitted by the amount of the reserve.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall forthwith, in accordance with the conditions set out in paragraph 1, draw a third share equal to 5 % of its initial share.

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

in accordance with the same conditions, draw a fourth share equal to the third.

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

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw lower shares than those specified therein if there are grounds for believing that those specified may not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 4

Supplementary shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

Member States shall return to the reserve, not later than 1 October 1983, the unused portion of their initial share which, on 15 September 1983, is in excess of 30 % of the initial amount. They may return a larger quantity if there are grounds for believing that such quantity might not be used.

Member States shall notify the Commission, not later than 1 October 1983, of the total quantities of raw silk imported up to and including 15 September 1983 and charged against the Community quota and of any portion of their initial share returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1983, of the amount in the reserve after amounts have been returned thereto pursuant to Article 5.

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

Article 7

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

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

Article 8

At the Commission's request, Member States shall inform it of the imports actually charged against their shares.

3. Member States shall charge imports of the products in question against their shares as and when the product is entered with the customs authorities for free circulation.

Article 9

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

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

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council

The President

H. CHRISTOPHERSEN

COUNCIL REGULATION (EEC) No 3104/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota for yarn, entirely of silk, other than yarn of noil or other waste silk, not put up for retail sale, falling within heading No ex 50.04 of the Common Customs Tariff (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission,

Whereas silk yarn is produced in the Community; whereas, although that production could cover all the Community requirements by reason of its overall volume, this does not apply with regard to yarn entirely spun from silk; whereas there is, as a result, an insufficient supply in the Community;

Whereas, consequently, Community supplies of those qualities of yarn depend to a considerable extent on imports; whereas full application of the Common Customs Tariff duty would result in those products being subjected to a considerable customs charge while products manufactured from silk yarn face powerful competition from similar products manufactured from other material; whereas an insufficient supply, added to competition at finished product level, might have adverse effects on the Community's processing industries;

Whereas the Common Customs Tariff duty applicable to imports of the silk yarn in question in 1983 is 6 %; whereas, when fixing the quota duty, it is appropriate to take into account, on the one hand, the situation of the Community silk yarn producing industry and, on the other, that of the silk yarn processing industries with regard to their supplies on favourable terms; whereas a quota duty of 2.5 % could best meet the abovementioned requirements;

Whereas the trends in imports during recent years suggest that the import requirements for the yarns in question might be in the region of 90 tonnes for 1983; whereas the opening of a Community tariff quota of that volume is unlikely to harm Community production;

Whereas equal and continuous access to the quota should be ensured for all importers and the rate laid down for the tariff quota should be applied consistently to all imports of the product in question until the quota is used up; whereas a system of utilization of the Community tariff quota based on an allocation between the Member States concerned

would, in the light of the principles outlined above, appear consistent with the Community nature of the quota;

Whereas, in view of these factors and of the forecasts which it is possible to make, the initial percentage shares in the quota volume can be expressed:

Benelux	1.56
Denmark	1.56
Germany	7.82
Greece	1.56
France	15.62
Ireland	1.56
Italy	62.50
United Kingdom	7.82

Whereas, to take account of future trends in imports of the product in question in the various Member States, the quota should be divided into two instalments, the first being distributed among the Member States and the second to form a reserve intended to cover any subsequent requirements of Member States who have used up their initial shares; whereas, in order to ensure a certain degree of security for importers of each Member State, the first instalment should in this case be 71 % of the total quota;

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

Whereas if, at a given date in the quota period, a considerable quantity of the initial share is left over in a Member State, it is essential that that Member State should return a significant percentage thereof to the reserve, so as to avoid a part of the Community tariff 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 within and jointly represented by the Benelux Economic Union, any operation 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 1983, the autonomous duty of the Common Customs Tariff for yarn entirely of silk, other than yarn of noil or other waste silk, not put up for retail sale, falling within heading No ex 50.04, shall be suspended at 2.5 % within a Community tariff quota of 90 tonnes.

2. Within the limits of the tariff quota referred to in paragraph 1, Greece shall apply duties calculated in accordance with the relevant provisions of the 1979 Act of Accession.

Article 2

1. A first instalment of 64 tonnes of this Community tariff quota shall be allocated among the Member States; Member States' shares, which, subject to Article 5, shall be valid until 31 December 1983, shall be as follows:

	(tonnes)
Benelux	1
Denmark	1
Germany	5
Greece	1
France	10
Ireland	1
Italy	40
United Kingdom	5

2. The second instalment of 26 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 10 % of this initial share, rounded up where necessary to the next whole number, to the extent permitted by the amount of the reserve.

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

forthwith, in accordance with the conditions set out in paragraph 1, draw a third share equal to 5 % of its initial share.

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

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

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw lower shares than those specified therein if there are grounds for believing that those specified may not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 4

Supplementary shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

Member States shall return to the reserve, not later than 1 October 1983, the unused portion of their initial share which, on 15 September 1983, is in excess of 20 % of the initial amount. They may return a larger quantity if there are grounds for believing that such quantity might not be used.

Member States shall notify the Commission, not later than 1 October 1983, of the total quantities of silk yarn imported up to and including 15 September 1983 and charged against the Community quota and of any portion of their initial share returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1983, of the amount in the reserve after amounts have been returned thereto pursuant to Article 5.

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

Article 7

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

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

3. Member States shall charge imports of the product in question against their shares as and when the product is entered with the customs authorities for free circulation.

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

Article 8

At the Commission's request, Member States shall inform it of the imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council
The President
H. CHRISTOPHERSEN

COUNCIL REGULATION (EEC) No 3105/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota for yarn, spun entirely from waste silk other than noil, not put up for retail sale, falling within subheading 50.05 A of the Common Customs Tariff (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission,

Whereas yarn spun from waste silk is produced in the Community; whereas, although that production should cover all the Community requirements by reason of its overall volume, this does not apply with regard to yarn spun entirely from waste silk; whereas there is, as a result, an insufficient supply in the Community;

Whereas, consequently, Community supplies of those qualities of yarn depend to a considerable extent on imports; whereas full application of the Common Customs Tariff duty would result in those products being subjected to a considerable customs charge while products manufactured from silk yarn face powerful competition from similar products manufactured from other material; whereas an insufficient supply, added to competition at finished product level, might have adverse effects on the Community's processing industries;

Whereas the Common Customs Tariff duty applicable to imports of the yarn spun from waste silk in question is 3.2 %; whereas, when fixing the quota duty, it is appropriate to take into account, on the one hand, the situation of the Community industry producing yarn spun from waste silk and, on the other, that of the industries processing yarn spun from waste silk with regard to their supplies on favourable terms; whereas a zero quota duty could best meet the abovementioned requirements;

Whereas the trends in imports in recent years suggest that Community import requirements for the yarns in question might be in the region of 220 tonnes for 1983; whereas the opening of a Community tariff quota of that volume is unlikely to harm Community production;

Whereas equal and continuous access to the quota should be ensured for all importers, and the rate laid down for the tariff quota should be applied consistently to all imports of the product in question until the quota is used up; whereas a system of utilization of the Community tariff quota based on an

allocation between the Member States concerned would, in the light of the principles outlined above, appear consistent with the Community nature of the quota;

Whereas, in view of these factors and of the forecasts which it is possible to make, the initial percentage shares in the quota volume can be expressed approximately as follows:

Benelux	0.56
Denmark	0.56
Germany	3.33
Greece	0.56
France	22.22
Ireland	0.56
Italy	55.55
United Kingdom	16.66

Whereas, to take account of future trends in imports of the product in question in the various Member States, the quota should be divided into two instalments, the first being distributed among the Member States and the second to form a reserve intended to cover any subsequent requirements of Member States who have used up their initial shares; whereas, in order to ensure a certain degree of security for importers of each Member State, the first instalment should be fixed at approximately 82 % of the total quota;

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

Whereas if, at a given date in the quota period, a considerable quantity of the initial share is left over in a Member State, it is essential that that Member State should return a significant percentage thereof to the reserve, so as to avoid a part of the Community tariff

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 within and jointly represented by the Benelux Economic Union, any operation 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 1983, the autonomous duty of the Common Customs Tariff for yarn spun entirely from waste silk other than noil, not put up for retail sale, falling within subheading 50.05 A, shall be totally suspended within a Community tariff quota of 220 tonnes.

2. Within the limits of the tariff quota referred to in paragraph 1, Greece shall apply duties calculated in accordance with the relevant provisions of the 1979 Act of Accession.

Article 2

1. A first instalment of 180 tonnes of this Community tariff quota shall be allocated among the Member States; Member States' shares, which, subject to Article 5, shall be valid until 31 December 1983, shall be as follows:

	(tonnes)
Benelux	1
Denmark	1
Germany	6
Greece	1
France	40
Ireland	1
Italy	100
United Kingdom	30

2. The second instalment of 40 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 10 % of its initial share, rounded up where necessary to the next whole number, to the extent permitted by the amount of the reserve.

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

State has been used up, that Member State shall forthwith, in accordance with the conditions set out in paragraph 1, draw a third share equal to 5 % of its initial share.

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

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

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw lower shares than those specified therein if there are grounds for believing that those specified may not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 4

Supplementary shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

Member States shall return to the reserve, not later than 1 October 1983, the unused portion of their initial share which, on 15 September 1983, is in excess of 20 % of the initial amount. They may return a larger quantity if there are grounds for believing that such quantity might not be used.

Member States shall notify the Commission, not later than 1 October 1983, of the total quantities of yarn spun entirely from waste silk imported up to and including 15 September 1983 and charged against the Community quota and of any portion of their initial share returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1983, of the amount in the reserve after amounts have been returned thereto pursuant to Article 5.

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

Article 7

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

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

3. Member States shall charge imports of the product in question against their shares as and when the product is entered with the customs authorities for free circulation.

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

Article 8

At the Commission's request, Member States shall inform it of the imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council

The President

H. CHRISTOPHERSEN

COUNCIL REGULATION (EEC) No 3106/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Israel (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the State of Israel ⁽¹⁾, as supplemented by Council Regulation (EEC) No 637/81 of 24 February 1981 laying down the arrangements applicable to trade between Greece and Israel ⁽²⁾, provides for the opening, by the Community, of an annual Community tariff quota of 150 tonnes of apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Israel; whereas the customs duties applicable to the quota are equal to 70 % of the customs duties actually applied to non-member countries; whereas the Community tariff quota in question should therefore be opened for 1983;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Israel over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following

percentages of total imports of the product in question, originating in Israel:

Member States	1979	1980	1981
Benelux	—	—	—
Denmark	—	—	—
Germany	—	—	—
Greece	—	—	—
France	—	—	—
Ireland	10	—	—
Italy	—	—	—
United Kingdom	90	100	—

Whereas these data cannot be considered as representative to serve as a basis for allocation of the quota volume among the Member States; whereas it is difficult to estimate imports by Member States for 1983 because of the absence of any pattern in previous years; whereas to allocate the quota volume on a fair basis, the approximate percentages of initial quota shares may be fixed as follows:

Benelux	12
Denmark	5
Germany	28
Greece	1
France	7
Ireland	6
Italy	6
United Kingdom	36

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 50 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share should draw an additional

⁽¹⁾ OJ No L 136, 28. 5. 1975, p. 3.

⁽²⁾ OJ No L 70, 16. 3. 1981, p. 1.

share from the reserve; whereas this must be done by such Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional share must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1983, a Community tariff quota of 150 tonnes shall be opened in the Community for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Israel.

2. Within the limits of this tariff quota the Common Customs Tariff duty applicable to these products shall be suspended at a rate of 11.9 %.

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and in the said Regulation (EEC) No 637/81.

Article 2

1. A first instalment of 75 tonnes of the Community tariff quota referred to in Article 1 shall be allocated among the Member States; the respective shares which, subject to Article 5, shall be valid until 31 December 1983, shall be as follows:

	(tonnes)
Benelux	9
Denmark	3
Germany	21
Greece	1
France	5
Ireland	4
Italy	4
United Kingdom	28

2. A second instalment of 75 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

3. If, after one of its second shares has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there are grounds for believing that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

The Member States shall return to the reserve, not later than 1 October 1983, such unused portions of their initial share as, on 15 September 1983, is in excess of 20 % of the initial volume. They may return

a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1983, of the total quantities of the products in question imported up to 15 September 1983 and charged against the tariff quota and of any fraction of the initial shares returned to the reserve.

Article 6

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

It shall inform the Member States, not later than 5 October 1983, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which uses up the reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary 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 accumulated shares of the tariff quota.

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

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

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

Article 8

At the Commission's request the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council
The President
H. CHRISTOPHERSEN

**COUNCIL REGULATION (EEC) No 3107/82
of 8 November 1982**

**opening, allocating and providing for the administration of a Community tariff quota for
apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs
Tariff and originating in Morocco (1983)**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco ⁽¹⁾, signed on 27 April 1976, as supplemented by Council Regulation (EEC) No 3511/81 of 3 December 1981 fixing the arrangements applicable for trade between Greece and Morocco ⁽²⁾, provides for the opening by the Community of an annual Community tariff quota of 8 250 tonnes of apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Morocco; whereas the customs duties applicable to the quota are equal to 70 % of the customs duties actually applied to non-member countries; whereas the Community tariff quota in question should therefore be opened for 1983;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Morocco over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, during the last three years for which statistics are available, the corresponding imports of each Member State represent the following per-

centages of imports into the Community from Morocco of the products concerned:

Member States	1979	1980	1981
Benelux	0.7	3	6
Denmark	—	—	—
Germany	19.8	15	28
Greece	—	—	—
France	79.5	82	66
Ireland	—	—	—
Italy	—	—	—
United Kingdom	—	—	—

Whereas both these percentages and the estimates from certain Member States should be taken into account as well as the need to ensure that, in the circumstances, the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas the approximate percentages of the initial quota shares may therefore be fixed as follows:

Benelux	8.5
Denmark	1.8
Germany	34.1
Greece	0.2
France	38.1
Ireland	1.0
Italy	1.0
United Kingdom	15.3

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 70 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, 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

⁽¹⁾ OJ No L 264, 27. 9. 1978, p. 2.

⁽²⁾ OJ No L 358, 14. 12. 1981, p. 1.

shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the corresponding reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1983, a Community tariff quota of 8 250 tonnes shall be opened in the Community for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Morocco.

2. Within the limits of this tariff quota the Common Customs Tariff duty applicable to these products shall be suspended at a rate of 11.9 %.

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and in Regulation (EEC) No 3511/81.

Article 2

1. A first instalment amounting to 5 860 tonnes of the Community tariff quota referred to in Article 1 shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1983, shall be as follows:

	(tonnes)
Benelux	500
Denmark	110
Germany	2 000
Greece	10
France	2 220
Ireland	60
Italy	60
United Kingdom	900

2. The second instalment amounting to 2 390 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

The Member States shall return to the reserve, not later than 1 October 1983, such unused portion of their initial shares as, on 15 September 1983, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1983, of the total quantities of the products in question imported up to 15 September 1983 and charged against the tariff quota and of any quantity of the 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, as soon as it is notified, shall inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1983, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve 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.

Article 7

1. The Member States shall take all measures necessary 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 accumulated shares of the tariff quota.

2. The Member States shall ensure that importers of the products in question, established in their

territory have free access to the shares allocated to them.

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities under cover of declarations for free circulation.

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

Article 8

At the Commission's request, the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council

The President

H. CHRISTOPHERSEN

COUNCIL REGULATION (EEC) No 3108/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Tunisia (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Republic of Tunisia ⁽¹⁾, signed on 25 April 1976, provides for the opening by the Community of an annual Community tariff quota of 4 300 tonnes of apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Tunisia; whereas the customs duties applicable to the quota are equal to 70 % of the customs duties actually applied to non-member countries; whereas the Community tariff quota in question should therefore be opened for 1983;

Whereas, since a Protocol as provided for in Article 118 of the 1979 Act of Accession does not exist, the Community must adopt the measures referred to in Article 119 of the Act; whereas the quota concerned will, therefore, apply to the Community of Nine;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Tunisia over a representative reference period and also to the economic outlook for the quota period in question;

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

Member States	1979	1980	1981
Benelux	28.3	4	3
Denmark	—	—	—
Germany	15.5	—	1
France	54.1	96	95
Ireland	—	—	—
Italy	2.1	—	—
United Kingdom	—	—	—

Whereas both these percentages and the estimates from certain Member States should be taken into account as well as the need to ensure that, in the circumstances, the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas the approximate percentages of the initial quota shares may therefore be fixed as follows:

Benelux	28.7
Denmark	3.5
Germany	4.8
France	54.9
Ireland	1.8
Italy	1.8
United Kingdom	4.5

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 73 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share should draw an additional share from the reserve; whereas this must be done by

⁽¹⁾ OJ No L 265, 27. 9. 1978, p. 2.

each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1983, a Community tariff quota of 4 300 tonnes shall be opened in the Community of Nine for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Tunisia.

2. Within the limits of this tariff quota the Common Customs Tariff duty applicable to these products shall be suspended at a rate of 11.9 %.

Article 2

1. A first instalment amounting to 3 190 tonnes of the Community tariff quota referred to in Article 1, shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1983, shall be as follows:

	(tonnes)
Benelux	900
Denmark	110
Germany	150
France	1 780
Ireland	55
Italy	55
United Kingdom	140

2. The second instalment amounting to 1 110 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

The Member States shall return to the reserve, not later than 1 October 1983, such unused portion of their initial share as, on 15 September 1983, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1983, of the total quantities of the products in question imported up to 15 September 1983, and charged against the tariff quota and of any quantity of the initial shares returned to the reserves.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2

and 3 and, as soon as it is notified, shall inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1983, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary 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 accumulated shares of the tariff quota.

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

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

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

Article 8

At the Commission's request, the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council
The President
H. CHRISTOPHERSEN

COUNCIL REGULATION (EEC) No 3109/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota for fresh or dried hazelnuts, shelled or not, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Annex to Council Regulation (EEC) No 562/81 of 20 January 1981 on the reduction of customs duties on imports into the Community of certain agricultural products originating in Turkey ⁽¹⁾ provides that fresh or dried hazelnuts, shelled or not, falling within subheading ex 08.05 G of the Common Customs Tariff and originating in Turkey are admitted on importation into the Community at zero duty, within the limit of a Community tariff quota of 25 000 tonnes; whereas the Community tariff quota concerned should therefore be opened for 1983;

Whereas, in accordance with Article 119 of the 1979 Act of Accession, the Community adopted Council Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports into Greece originating in Algeria,

Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey ⁽²⁾; whereas this Regulation therefore applies to the Community of Nine;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Turkey over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, on the basis of the statistics at present available, imports into the Member States in 1979, 1980 and 1981 of the product concerned, originating in Turkey, have developed as follows and represent the following percentages of total imports into the Community:

Member States	1979		1980		1981	
	tonnes	%	tonnes	%	tonnes	%
Benelux	4 550	6.21	5 106	7.45	5 374	7.95
Denmark	1 305	1.78	1 202.8	1.75	784.7	1.16
Germany	49 306	67.36	44 844	65.40	47 779.6	70.71
France	10 657	14.56	9 230	13.46	8 889.2	13.15
Ireland	114	0.16	40	0.06	91.5	0.14
Italy	2 067	2.82	3 808.3	5.55	823.2	1.22
United Kingdom	5 204	7.11	4 337	6.33	3 833	5.67
Total	73 203		68 568.1		67 575.2	

⁽¹⁾ OJ No L 65, 11. 3. 1981, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1980, p. 1.

Whereas, taking into account these figures and the foreseeable development of the product concerned during 1983 and, in particular, the forecasts made by some Member States, the initial shares may be fixed approximately at the following percentages:

Benelux	7.38
Denmark	2.24
Germany	63.15
France	13.52
Ireland	0.23
Italy	3.75
United Kingdom	9.73

Whereas, in order to take into account import trends for the product concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of those Member States which have used up their initial quota share; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota might under the circumstances be fixed at 80 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota 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 used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others; whereas, taking into account the seasonal nature of imports, it seems appropriate to fix the transfer limit at 40 % of the initial share;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota

shares allocated to that Economic Union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 January to 31 December 1983, a Community tariff quota of 25 000 tonnes shall be opened in the Community of Nine for fresh or dried hazelnuts, shelled or not, falling within sub-heading ex 08.05 G of the Common Customs Tariff and originating in Turkey.
2. Within this tariff quota, the Common Customs Tariff duty shall be totally suspended.
3. Imports of the product in question benefiting from the same or lower customs duties under preferential arrangements shall not be charged against this tariff quota.
4. This tariff quota shall be allocated and administered in accordance with the following provisions.

Article 2

1. The tariff quota referred to in Article 1 (1) shall be divided into two instalments.
2. The first instalment, amounting to 20 000 tonnes, shall be shared among the Member States; the shares which, subject to Article 5, shall be valid until 31 December 1983, shall be as follows:

	(tonnes)
Benelux	1 476
Denmark	448
Germany	12 630
France	2 704
Ireland	46
Italy	750
United Kingdom	1 946

3. The second instalment, amounting to 5 000 tonnes, shall constitute the reserve.

Article 3

1. If 90 % or more of any Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

3. If, after its second share has been used up, 90 % or more of the third share drawn up by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

The Member States shall return to the reserve, not later than 1 October 1983, such unused portion of their initial shares as, on 15 September 1983, is in excess of 40 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1983, of the total quantities of the products in question imported up to 15 September 1983 and charged against the tariff quotas and of any quantity of the 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, as soon as it is notified, inform each Member State of the extent to which the reserves have been used up.

It shall inform the Member States, not later than 5 October 1983, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts any reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary 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 accumulated shares of the tariff quota.

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

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs, authorities for free circulation.

4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports charged under the conditions set in paragraph 3.

Article 8

At the Commission's request, the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council
The President
H. CHRISTOPHERSEN

COUNCIL REGULATION (EEC) No 3110/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota 'Šljivovica' plum spirit falling within subheading ex 22.09 C IV a) of the Common Customs Tariff and originating in Yugoslavia (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Article 21 of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia on trade and trade cooperation ⁽¹⁾ provides that plum spirit, marketed under the name Šljivovica, falling within subheading ex 22.09 C IV a) of the Common Customs Tariff and originating in Yugoslavia shall be imported into the Community at customs duties of 0.3 ECU per hectolitre per % volume of alcohol plus 3 ECU per hectolitre, within the limits of an annual Community tariff quota of 5 420 hectolitres; whereas these goods must be accompanied by a certificate of authenticity; whereas the tariff quota in question should be opened for 1983;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Yugoslavia over a representative reference period and also to the economic outlook for the quota period in question:

Whereas, during the last three years for which statistics are available, the corresponding imports of each Member State represent the following

percentages of imports into the Community from Yugoslavia of the products in question:

Member States	1979	1980	1981
Benelux	2.4	3.9	0.7
Denmark	0.2	0.1	—
Germany	93.0	91.9	95.1
Greece	—	—	—
France	3.7	1.9	3.9
Ireland	—	—	—
Italy	0.6	—	0.2
United Kingdom	0.1	2.2	0.1

Whereas both these percentages and the estimates from certain Member States should be taken into account as well as the need to ensure that, in the circumstances, the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas the approximate percentages of the initial quota shares may therefore be fixed as follows:

Benelux	5.0
Denmark	2.5
Germany	92.0
Greece	0.1
France	0.1
Ireland	0.1
Italy	0.1
United Kingdom	0.1

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 75 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used

⁽¹⁾ OJ No L 130, 27. 5. 1980, p. 2.

up its initial quota 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 used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1983, a Community tariff quota of 5 420 hectolitres shall be opened for plum spirit marketed under the name Šljivovica, in containers holding two litres or less, falling within subheading ex 22.09 C IV a) of the Common Customs Tariff and originating in Yugoslavia.

2. Within the limits of this tariff quota the Common Customs Tariff duty applicable to these products shall be suspended at 0.3 ECU per hectolitre per % volume of alcohol plus 3 ECU per hectolitre.

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession.

3. Such goods, when imported, shall be accompanied by a certificate of authenticity, issued by the competent Yugoslav authority, conforming with the model annexed to this Regulation.

Article 2

1. A first instalment amounting to 4 060 hectolitres of the Community tariff quota referred to in Article 1, shall be allocated among the Member States; the

shares, which subject to Article 5 shall be valid until 31 December 1983, shall be as follows:

	(hectolitres)
Benelux	200
Denmark	100
Germany	3 735
Greece	5
France	5
Ireland	5
Italy	5
United Kingdom	5

2. The second instalment amounting to 1 360 hectolitres shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

The Member States shall return to the reserve, not later than 1 October 1983, such unused portion of their initial share as, on 15 September 1983, is in

excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1983, of the total quantities of the products in question imported up to 15 September 1983 and charged against the tariff quota and of any quantity of the 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, as soon as it is notified, shall inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1983, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, notify the amount of the balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary 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 accumulated shares of the tariff quota.

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

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

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

Article 8

At the Commission's request, the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1982.

For the Council
The President

H. CHRISTOPHERSEN

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	2 No	ORIGINAL	
	3 Quota year Année contingentaire	4 Country of destination Pays de destination	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	6 Issuing authority Organisme émetteur		
	7 CERTIFICATE OF AUTHENTICITY CERTIFICAT D'AUTHENTICITÉ Plum spirit 'Šljivovica' Eau-de-vie de prunes «Šljivovica» (CCT subheading ex 22.09 C IV a)) [Sous-position du TDC: ex 22.09 C IV a)]		
9 Marks and numbers — Number and kind of packages Marques et numéros — Nombre et nature des colis	10 % vol of alcohol % vol d'alcool	11 Litres Litres	
12 % vol of alcohol and litres (in words) % vol d'alcool et litres (en lettres)			
13 CERTIFICATE BY THE ISSUING AUTHORITY — VISA DE L'ORGANISME ÉMETTEUR I hereby certify that the plum spirit 'Šljivovica' described in this certificate corresponds with the definition given on the reverse. Je certifie que l'eau-de-vie de prunes «Šljivovica» décrite dans ce certificat correspond à la définition figurant au verso. Place Lieu Date Date (Stamp and signature) (Cachet et signature)			

DEFINITION

Plum spirit with an alcoholic strength of 40 % vol or more, marketed under the name ŠLJIVOVICA, corresponding to the specifications laid down in the Regulation relating to the quality of spirituous beverages, published in the Official Journal of the Socialist Federal Republic of Yugoslavia on 7 October 1971.

DÉFINITION

Eau-de-vie de prunes ayant un titre alcoométrique égal ou supérieur à 40 % vol, commercialisée sous la dénomination ŠLJIVOVICA correspondant à la spécification reprise dans la réglementation relative à la qualité des boissons alcooliques publiée au Journal officiel de la république socialiste fédérative de Yougoslavie le 7 octobre 1971.

COUNCIL REGULATION (EEC) No 3111/82

of 8 November 1982

opening, allocating and providing for the administration of a Community tariff quota for certain tobaccos falling within subheading ex 24.01 B of the Common Customs Tariff and originating in Yugoslavia (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Article 23 of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia on trade and trade cooperation ⁽¹⁾ provides that tobacco of the 'Prilep' type, falling within subheading ex 24.01 B of the Common Customs Tariff, originating in and coming from Yugoslavia and specified in an Agreement in the form of an exchange of letters of 11 July 1980 shall be imported into the Community at a rate of customs duty of 7 % with a minimum amount of 13 ECU per 100 kilograms and a maximum of 45 ECU per 100 kilograms within the limits of an annual Community tariff quota of 1 500 tonnes; whereas the tobacco must be accompanied by a certificate of origin and authenticity; whereas the tariff quota in question should be opened for 1983;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Yugoslavia over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, during the last three years for which statistics are available, the corresponding imports of each Member State represent the following percentages of imports into the Community from Yugoslavia of the products in question:

Member States	1979	1980	1981
Benelux	—	—	1
Denmark	—	—	—
Germany	55	48	41
Greece	—	—	—
France	—	—	—
Ireland	—	—	—
Italy	45	52	58
United Kingdom	—	—	—

Whereas both these percentages and the estimates from certain Member States should be taken into account as well as the need to ensure that, in the circumstances, the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas the approximate percentages of the initial quota shares may therefore be fixed as follows:

Benelux	0.4
Denmark	0.4
Germany	39.2
Greece	0.4
France	0.4
Ireland	0.4
Italy	58.4
United Kingdom	0.4

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 80 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take

⁽¹⁾ OJ No L 130, 27. 5. 1980, p. 2.

this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota 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 used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1983, a Community tariff quota of 1 500 tonnes shall be opened for tobacco of the 'Prilep' type, falling within subheading ex 24.01 B of the Common Customs Tariff and originating in and coming from Yugoslavia.

2. Within the limits of this tariff quota the Common Customs Tariff duty applicable to this product shall be suspended at a rate of 7 % *ad valorem* with a minimum amount of 13 ECU per 100 kilograms and a maximum of 45 ECU per 100 kilograms.

Within the limits of this tariff quota Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession.

3. Such goods, when imported, shall be accompanied by a certificate of authenticity issued by the competent Yugoslav authority, conforming with the model annexed to this Regulation.

Article 2

1. A first instalment amounting to 1 200 tonnes of the Community tariff quota referred to in Article 1, shall be allocated among the Member States; the

shares, which subject to Article 5 shall be valid until 31 December 1983, shall be as follows:

	(tonnes)
Benelux	5
Denmark	5
Germany	470
Greece	5
France	5
Ireland	5
Italy	700
United Kingdom	5

2. The second instalment amounting to 300 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

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

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

The Member States shall return to the reserve, not later than 1 October 1983, such unused portion of

their initial share as, on 15 September 1983, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 1 October 1983, of the total quantities of the products in question imported up to 15 September 1983 and charged against the tariff quota and of any quantity of the initial shares returned to the reserves.

Article 6

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

It shall inform the Member States, not later than 5 October 1983, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, notify the amount of the balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary 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 accumulated shares of the tariff quota.

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

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

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

Article 8

At the Commission's request, the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 8 November 1983.

For the Council
The President
H. CHRISTOPHERSEN

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	2 No	ORIGINAL
	3 Quota year Année contingentaire	4 Country of destination Pays de destination
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	6 Issuing authority Organisme émetteur	
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	7 CERTIFICATE OF AUTHENTICITY CERTIFICAT D'AUTHENTICITÉ Tobacco — Tabac 'Prilep' (CCT subheading ex 24.01 B) (Sous-position du TDC: ex 24.01 B)	
9 Marks and numbers — Number and kind of packages Marques et numéros — Nombre et nature des colis		10 Net weight (kg) Poids net (kg)
11 Net weight (kg) (in words) Poids net (kg) (en lettres)		
12 CERTIFICATE BY THE ISSUING AUTHORITY — VISA DE L'ORGANISME ÉMETTEUR I hereby certify that the tobacco described in this certificate is 'Prilep' tobacco within the meaning of the Agreement. Je certifie que le tabac décrit dans ce certificat est le tabac «Prilep» au sens de l'accord. Place Lieu Date Date (Stamp and signature) (Cachet et signature)		

