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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 439/86

of 17 February 1986

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Economic Community and the People's Democratic Republic of Algeria fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Algeria, for the period from 1 November 1985 to 28 February 1986

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 Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria ⁽¹⁾, which entered into force on 1 November 1978, and in particular to Annex B thereof,

Having regard to the recommendation from the Commission,

Whereas it is necessary to approve the Agreement in the form of an Exchange of Letters between the European Economic Community and the People's Democratic Republic of Algeria fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Algeria, for the period from 1 November 1985 to 28 February 1986,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an Exchange of Letters between the European Economic Community and the People's Democratic Republic of Algeria fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff and originating in Algeria, for the period from 1 November 1985 to 28 February 1986 is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Luxembourg, 17 February 1986.

For the Council

The President

H. van den BROEK

⁽¹⁾ OJ No L 263, 27. 9. 1978, p. 2.

AGREEMENT

in the form of an Exchange of Letters between the European Economic Community and the People's Democratic Republic of Algeria fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Algeria, for the period from 1 November 1985 to 28 February 1986

Letter No 1

Sir,

Annex B to the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 16 (1) (b) of the Cooperation Agreement may, in order to take account of certain factors and of the situation on the olive oil market, be increased by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to fix the additional amount at 12,09 ECU per 100 kilograms for the period from 1 November 1985 to 28 February 1986.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'Annex B to the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 16 (1) (b) of the Cooperation Agreement may, in order to take account of certain factors and of the situation on the olive oil market, be increased by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to fix the additional amount at 12,09 ECU per 100 kilograms for the period from 1 November 1985 to 28 February 1986.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.'

I am able to confirm the agreement of my Government to the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Government
of the People's Democratic Republic of Algeria*

COUNCIL REGULATION (EEC) No 440/86

of 17 February 1986

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Morocco, for the period 1 November 1985 to 28 February 1986

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having regard to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco ⁽¹⁾, which entered into force on 1 November 1978, and in particular to Annex B thereof,

Having regard to the recommendation from the Commission,

Whereas it is necessary to approve the Agreement in the form of an Exchange of Letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Morocco, for the period 1 November 1985 to 28 February 1986.

Article 1

The Agreement in the form of an Exchange of Letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff and originating in Morocco, for the period 1 November 1985 to 28 February 1986 is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Luxembourg, 17 February 1986.

For the Council

The President

H. van den BROEK

⁽¹⁾ OJ No L 264, 27. 9. 1978, p. 2.

AGREEMENT

in the form of an Exchange of Letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Morocco, for the period 1 November 1985 to 28 February 1986

Letter No 1

Sir,

Annex B to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 17 (1) (b) of the Cooperation Agreement may, in order to take account of certain factors and of the situation on the olive oil market, be increased by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to fix the additional amount at 12,09 ECU per 100 kilograms for the period 1 November 1985 to 28 February 1986.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'Annex B to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 17 (1) (b) of the Cooperation Agreement may, in order to take account of certain factors and of the situation on the olive oil market, be increased by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to fix the additional amount at 12,09 ECU per 100 kilograms for the period 1 November 1985 to 28 February 1986.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.'

I am able to confirm the agreement of my Government to the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Government
of the Kingdom of Morocco*

COUNCIL REGULATION (EEC) No 441/86

of 17 February 1986

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Economic Community, and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Tunisia, for the period 1 November 1985 to 28 February 1986

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION

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

Having regard to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia ⁽¹⁾, which entered into force on 1 November 1978, and in particular Annex B thereof,

Having regard to the recommendation from the Commission,

Whereas it is necessary to approve the Agreement in the form of an Exchange of Letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff and originating in Tunisia, for the period 1 November 1985 to 28 February 1986,

Article 1

The Agreement in the form of an Exchange of Letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff and originating in Tunisia, for the period 1 November 1985 to 28 February 1986 is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Luxembourg, 17 February 1986.

For the Council

The President

H. van den BROEK

⁽¹⁾ OJ No L 265, 27. 9. 1978, p. 2.

AGREEMENT

in the form of an Exchange of Letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Tunisia, for the period 1 November 1985 to 28 February 1986

Letter No 1

Sir,

Annex B to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 16 (1) (b) of the Cooperation Agreement may, in order to take account of certain factors and of the situation on the olive oil market, be increased by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to fix the additional amount at 12,09 ECU per 100 kilograms for the period 1 November 1985 to 28 February 1986.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Communities*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'Annex B to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 16 (1) (b) of the Cooperation Agreement may, in order to take account of certain factors and of the situation on the olive oil market, be increased by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to fix the additional amount at 12,09 ECU per 100 kilograms for the period 1 November 1985 to 28 February 1986.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.'

I am able to confirm the agreement of my Government to the foregoing.

Please accept Sir, the assurance of my highest consideration.

*For the
Government of the Republic of Tunisia*

COUNCIL REGULATION (EEC) No 442/86

of 17 February 1986

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Turkey, for the period 1 November 1985 to 28 February 1986

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having regard to Decision No 1/77 of the EEC-Turkey Association Council of 17 May 1977 on new concessions for imports of Turkish agricultural products into the Community, and in particular Annex IV thereto,

Having regard to the recommendation from the Commission,

Whereas it is necessary to approve the Agreement in the form of an Exchange of Letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Turkey, for the period 1 November 1985 to 28 February 1986,

Article 1

The Agreement in the form of an Exchange of Letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff and originating in Turkey, for the period 1 November 1985 to 28 February 1986 is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Luxembourg, 17 February 1986.

For the Council

The President

H. van den BROEK

AGREEMENT

in the form of an Exchange of Letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Turkey, for the period 1 November 1985 to 28 February 1986

Letter No 1

Sir,

Annex IV to Decision No 1/77 of the EEC-Turkey Association Council of 17 May 1977 on new concessions for imports of Turkish agricultural products into the Community stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 2 of that Decision is increased, in order to take account of certain factors and of the situation on the olive oil market, by an additional amount under the same conditions and arrangements as laid down for the application of the said Article.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex IV, the Community will take the necessary steps to fix the additional amount at 10,88 ECU per 100 kilograms for the period 1 November 1985 to 28 February 1986.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'Annex IV to Decision No 1/77 of the EEC-Turkey Association Council of 17 May 1977 on new concessions for imports of Turkish agricultural products into the Community stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 2 of that Decision is increased, in order to take account of certain factors and of the situation on the olive oil market, by an additional amount under the same conditions and arrangements as laid down for the application of the said Article.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex IV, the Community will take the necessary steps to fix the additional amount at 10,88 ECU per 100 kilograms for the period 1 November 1985 to 28 February 1986.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.'

I confirm the agreement of my Government to the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Government
of the Republic of Turkey*

COUNCIL REGULATION (EEC) No 443/86

of 24 February 1986

concerning the basic duties to be adopted in the Community of Ten for the purpose of calculating the successive reductions provided for in the Act of Accession of Spain and Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 32 and 191 thereof,

Having regard to the proposal from the Commission,

Whereas the Council, acting on a proposal from the Commission, decided to bring forward by one year, that is, to the beginning of 1986, the implementation of the tariff reductions provided for in respect of 1987 in the GATT multilateral trade negotiations, whereas Regulation (EEC) No 950/68 on the Common Customs Tariff was consequently amended by Regulation (EEC) No 3679/85 ⁽¹⁾;

Whereas, in order to maintain Community preference for all products imported from the new Member States, the customs duties applicable to such products in the Community of Ten should be calculated on the basis of the new duties applicable from 1 January 1986;

Whereas the basic duties originally stipulated under the Act of Accession should be maintained in respect of the products for which such duties are lower than the customs duties applicable on 1 January 1985,

Article 1

1. The basic duties which shall be successively reduced by the Community of Ten as provided for in Article 31 in point 1 of Article 75 and in Article 173 (1) and (2) of the Act of Accession shall be the duties actually applied on 1 January 1986 to products originating in Spain.

2. By way of derogation from paragraph 1, however, the basic duties for the products listed in Annex I shall be those indicated against each product.

Article 2

1. The basic duties which shall be successively reduced by the Community of Ten as provided for in Article 190, in point 1 of Article 243, in Article 268 (2) (a) and 360 (1) (a), (2) and (3) of the Act of Accession of Spain and Portugal shall be the duties actually applied on 1 January 1986 to products originating in Portugal.

2. By way of derogation from paragraph 1, however, the basic duties for the products listed in Annex II shall be those indicated against each product.

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 24 February 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 351, 28. 12. 1985, p. 2.

ANNEX I

List of products referred to in Article 1 (2)

Common Customs Tariff heading No	Description	Basic duties (%)
03.01	Fish, fresh (live or dead), chilled or frozen: B. Saltwater fish: I. Whole, headless or in pieces: g) Atlantic halibut and lesser or Greenland halibut: 2. Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	Free
03.02	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process: A. Dried, salted or in brine: I. Whole, headless or in pieces: b) Cod (<i>Gadus morhua</i> , <i>Boreogadus saida</i> , <i>Gadus ogac</i>) II. Fillets: a) Of cod (<i>Gadus morhua</i> , <i>Boreogadus saida</i> , <i>Gadus ogac</i>)	Free Free
03.03	Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water: A. Crustaceans: IV. Shrimps and prawns: ex c) Other: — Shrimps of the species 'Royal Red' (<i>Haliporoides sibogae</i> or <i>Hymenopenaeus sibogae</i>) peeled and deep-frozen, intended for the processing industry for the manufacture of products falling within heading No 16.05 (a)	9
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared: ex B. Other: — Sweet red or green peppers, in pieces, with a moisture content not exceeding 9,5 %	10
16.05	Crustaceans and molluscs, prepared or preserved: ex B. Other: — Shrimps and prawns of the species <i>Pandalus borealis</i> boiled in water and shelled, whether or not frozen or dried, intended for the industrial processing of products falling within heading No 16.05 (a)	8,7

(a) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions. However, this basic duty shall not be applied where the treatment is carried out by retail sale or catering undertakings.

Common Customs Tariff heading No	Description	Basic duties (%)
28.20	Aluminium oxide and hydroxide; artificial corundum: ex A. Aluminium oxide and aluminium hydroxide: — Aluminium hydroxide containing by weight not more than: — 0,15 % of silicon dioxide — 0,06 % of di-iron trioxide — 0,20 % of disodium oxide	Free
28.38	Sulphates (including alums) and persulphates: ex C. Peroxosulphates (persulphates): — Potassium hydrogenperoxomonosulphate	Free
28.55	Phosphides, whether or not chemically defined: ex A. Of iron (ferro-phosphorus), containing 15 % or more by weight of phosphorus: — Phosphides of iron (ferro-phosphorus) containing by weight: — not less than 68 % and not more than 72 % of iron — not less than 22 % and not more than 26 % of phosphorus — not more than 3,5 % of silicon of which not less than 99 % by weight is of a particle size of less than 20 micrometres, for the manufacture of varnishes or paints (a)	Free
28.57	Hydrides, nitrides, azides, silicides and borides, whether or not chemically defined: ex A. Hydrides: — Silane (silicon hydride)	Free
29.01	Hydrocarbons: D. Aromatic: ex VII. Other: — 1,3-Diisopropylbenzene with a purity of not less than 94 % by weight	Free
29.02	Halogen derivatives of hydrocarbons: A. Halogenated derivatives of acyclic hydrocarbons: II. Chlorides: ex b) Unsaturated: — 1,2,3-Trichloropropenes	Free
29.13	Ketones, ketone-alcohols, ketone-phenols, ketone-aldehydes, quinones, quinone-alcohols, quinone-phenols, quinone-aldehydes and other single or complex oxygen-function ketones and quinones, and their halogenated, sulphonated, nitrated or nitrosated derivatives: G. Halogenated, sulphonated, nitrated or nitrosated derivatives: ex II. Other: — 2-Chloro-4'-isobutylpropiophenone	2

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

Common Customs Tariff heading No	Description	Basic duties (%)
29.14	Monocarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives: A. Saturated acyclic monocarboxylic acids: ex XI. Other: — 2,2-Dichloropropionic acid	2,4
	B. Unsaturated acyclic monocarboxylic acids: IV. Other: ex b) Other: — Crotonic acid	Free
29.16	Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives: ex D. Other single or complex oxygen-function carboxylic acids: — Methyl-5-(2,4-dichlorophenoxy)-2-nitrobenzoate	Free
29.21	Other esters of mineral acids (excluding halides) and their salts, and their halogenated, sulphonated, nitrated or nitrosated derivatives: B. Other products: ex II. Other: — 1,1'-Dimethyl-2,2'-oxydiethylene tetraphenyl bis(phosphite)	Free
29.22	Amine-function compounds: A. Acyclic monoamines: ex III. Other: — 1,1-Dimethylprop-2-ynylamine	Free
29.25	Carboxamide-function compounds; amide-function compounds of carbonic acid: B. Cyclic amides: III. Other cyclic amides: ex b) Other: — 3,5-Dichloro-N-(1,1-dimethylprop-2-ynyl)benzamide	Free
ex 29.30	Compounds with other nitrogen-functions: — Methyl isocyanate	3,6
29.31	Organo-sulphur compounds: ex B. Other: — Thiophanox (ISO)	1,2
29.35	Heterocyclic compounds; nucleic acids: ex Q. Other: — 6-Hydroxy-2-phenylpyridazin-3(2H)-one	Free

Common Customs Tariff heading No	Description	Basic duties (%)
ex 34.02	Organic surface-active agents; surface-active preparations and washing preparations, whether or not containing soap: — 2-Alkyl-1-(2-(sodiooxycarbonylmethoxy)ethyl)-1-sodiooxycarbonylmethyl-2-imidazolium hydroxide — Preparation not containing less than 30 % by weight 2-Alkyl-1-(2-(sodiooxycarbonylmethoxy)ethyl)-1-sodiooxycarbonylmethyl-2-imidazolium dodecyl sulphate	Free Free
38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries not elsewhere specified or included: ex K. Refractory cements, mortars and similar compositions: — Sintered magnesite mixed with small quantities of mineral oils	Free
39.01	Condensation, polycondensation and polyaddition products, whether or not modified or polymerised, and whether or not linear (for example, phenoplasts, aminoplasts, alkyds polyallyl esters and other unsaturated polyesters, silicones): C. Other: I. Phenoplasts: ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter: — Thermosetting resin arising from the alkali-catalysed polycondensation of phenol and formaldehyde, in one of the forms mentioned in Note 3 (b) to Chapter 39	1,6
39.02	Polymerisation and copolymerisation products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins): C. Other: ex XII. Acrylic polymers, methacrylic polymers and acrylo-methacrylic copolymers: — Copolymer of acrylic acid having not more than 10 % by weight of alkyl esters of methacrylic acid for use as a thickener in textile printing pastes (a) XIV. Other polymerisation or copolymerisation products: ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter: — Copolymers of ethylene with acrylic acid, or with methacrylic acid, containing not less than 3 % and not more than 30 % of acrylic acid or methacrylic acid by weight, in one of the forms mentioned in Note 3 (b) to Chapter 39 — Copolymer of tetrafluoroethylene and hexafluoropropylene compounded with materials which are opaque to X-rays and containing not less than 15 % and not more than 30 % by weight of such materials	Free Free

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

Common Customs Tariff heading No	Description	Basic duties (%)
51.01	Yarn of man-made fibres (continuous), not put up for retail sale: ex A. Yarn of synthetic textile fibres: — Yarn, multiple, of polyamide, coated, impregnated or covered with a phenolic resin — Yarn of poly(<i>p</i> -phenyleneterephthalamide), for uses other than the manufacture of tyres or of products used in the manufacture of tyres (a)	Free 0,8
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning: ex A. Synthetic textile fibres: — Fibres of poly(<i>p</i> -phenylene terephthalamide)	0,8
58.07	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallised yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like: ex A. Braids of a width of 5 cm or less, of man-made fibres (including monofil or strip of heading No 51.01 or 51.02), of flax, of ramie or of vegetable textile fibres of Chapter 57: — Braid, wholly of polyglycollic acid yarn — Braid of yarn of a copolymer of glycollic acid and lactic acid, whether or not coated, for the manufacture of surgical sutures (a)	Free Free
59.01	Wadding and articles of wadding; textile flock and dust and mill neps: B. Flock and dust and mill neps: ex I. Of man-made fibres: — Fibres of poly(<i>p</i> -phenylene terephthalamide)	0,8
ex 59.04	Twine, cordage, ropes and cables, plaited or not: — Braid, wholly of polyglycollic acid yarn — Braid of yarn of a copolymer of glycollic acid and lactic acid, whether or not coated, for the manufacture of surgical sutures (a)	Free Free
59.17	Textile fabrics and textile articles, of a kind commonly used in machinery or plant: ex D. Other: — Yarn of poly(<i>p</i> -phenylene terephthalamide), impregnated, oiled	Free
62.05	Other made up textile articles (including dress patterns): E. Other: ex II. Other: — Life-jackets (b)	Free

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

(b) Intended for use in the maintenance and repair of aircraft of an unladen weight exceeding 15 000 kg, excluding aeroplanes of the following types: BAC 1-11, Siddeley Trident, Airbus, Concorde, Mercure and F-28.

Common Customs Tariff heading No	Description	Basic duties (%)
84.55	Parts and accessories (other than covers, carrying cases and the like) suitable for use solely or principally with machines of a kind falling within heading No 84.51, 84.52, 84.53 or 84.54: ex C. Other: — Assemblies for automatic data-processing machines, comprising static random-access memories of C-MOS technology (C-MOS S-RAMs) with a storage capacity of 256 K bits consisting of a multilayer substrate, whose exterior dimensions do not exceed 17 × 39 mm, on which are mounted: — four static random-access memories of C-MOS technology (C-MOS S-RAMs) in the form of monolithic integrated circuits each with a capacity of 64 K bits — a decoder in the form of a monolithic integrated circuit — a decoupling capacitor The assemblies have not more than 28 connecting pins and bear: — an identification marking either consisting of or including the following combination of figures and letters: EDH 8832 MC-20 - or — other identification markings relating to assemblies complying with the abovementioned description — Assemblies for automatic data-processing machines, comprising UV-erasable, programmable, read-only memories (EPROMs), with a storage capacity of 256 K bits, consisting of a multilayer substrate, the exterior dimensions of which do not exceed 17 × 39 mm, on which are mounted: — two UV-erasable, programmable, read-only memories (EPROMs), in the form of monolithic integrated circuits, each with a storage capacity of 128 K bits and a quartz window on the upper surface — a decoder in the form of a monolithic integrated circuit — a decoupling capacitor — two resistances The assemblies bear: — an identification marking either consisting of or including the following combination of figures and letters: EDH 7832 MM-30 - or — other identification markings relating to assemblies complying with the abovementioned description — Assemblies for automatic data-processing machines, comprising UV-erasable, programmable, read-only memories (EPROMs), with a storage capacity of 256 K bits, consisting of a multilayer substrate, the exterior dimensions of which do not exceed 17 × 39 mm, on which are mounted: — four UV-erasable, programmable, read-only memories (EPROMs), in the form of monolithic integrated circuits each with a storage capacity of 64 K bits and a quartz window on the upper surface	Free Free

Common Customs Tariff heading No	Description	Basic duties (%)
84.55 (continued)	ex C. — one decoder in the form of a monolithic integrated circuit — one decoupling capacitor The assemblies bear: — an identification marking either consisting of or including the following combination of figures and letter: EDH 7832 MC-35 or — other identification markings relating to assemblies complying with the abovementioned description Free — Assemblies for automatic data-processing machines, comprising static random-access memories of C-MOS technology (C-MOS S-RAMs) with a storage capacity of 32 K bits consisting of a multilayer substrate, the exterior dimensions of which do not exceed 17 × 39 mm, with not more than 28 connecting pins, on which are mounted: — two static random-access memories of C-MOS technology (C-MOS S-RAMs) in the form of monolithic integrated circuits each with a storage capacity of 16 K bits — a decoder in the form of a monolithic integrated circuit — a decoupling capacitor The assemblies bear: — an identification marking either consisting of or including one of the following combinations of figures and letters: EDH 8804 C-20 EDH 8804 CL-20 or — other identification marking relating to assemblies complying with the abovementioned description Free — Assemblies for automatic data-processing machines, comprising static random-access memories of C-MOS technology (C-MOS S-RAMs) with a storage capacity of 64 K bits consisting of a multilayer substrate, the exterior dimensions of which do not exceed 17 × 39 mm, on which are mounted: — four static random-access memories of C-MOS technology (C-MOS S-RAMs) in the form of monolithic integrated circuits each with a storage capacity of 16 K bits — a decoder in the form of a monolithic integrated circuit — a decoupling capacitor The assemblies have not more than 28 connecting pins and bear: — an identification marking either consisting of or including one of the following combinations of figures and letters: EDH 8808 B-20 EDH 8808 C-10 EDH 8808 C-12 EDH 8808 C-15 EDH 8808 C-20 EDH 8808 CL-15 EDH 8808 CL-20 or	

Common Customs Tariff heading No	Description	Basic duties (%)
84.55 (continued)	ex C. — other identification markings relating to assemblies complying with the abovementioned description — Assemblies for automatic data-processing machines comprising a UV-erasable, programmable, read-only memory (EPROM) with a storage capacity of 64 K bits and a static random-access memory of C-MOS technology (C-MOS S-RAMs) with a storage capacity of 32 K bits consisting of a multilayer substrate, the exterior dimensions of which do not exceed 17 × 39 mm, with not more than 28 connecting pins, on which are mounted: — one UV-erasable, programmable, read-only memory (EPROM) in the form of a monolithic integrated circuit, with a storage capacity of 64 K bits and with a quartz window on the upper surface — two static random-access memories of C-MOS technology (C-MOS S-RAMs) in the form of monolithic integrated circuits, each with a storage capacity of 16 K bits — one decoder in the form of a monolithic integrated circuit — one decoupling capacitor — two resistances The assemblies bear: — an identification marking either consisting of or including one of the following combinations of figures and letters: EDH 90804 BS-25 (15) EDH 90804 BS-30 (20) or — other identification markings relating to assemblies complying with the abovementioned description — Assemblies for automatic data-processing machines comprising UV-erasable, programmable, read-only memories (EPROM's) with a storage capacity of 128 K bits and static random-access memories of C-MOS technology (C-MOS S-RAMs) with a storage capacity of 128 K bits consisting of a multilayer substrate, the exterior dimensions of which do not exceed 17 × 39 mm, with not more than 28 connecting pins, on which are mounted: — two UV-erasable, programmable, read-only memories (EPROMs) in the form of monolithic integrated circuits, each with a storage capacity of 64 K bits and a quartz window on the upper surface — two static random-access memories of C-MOS technology (C-MOS S-RAMs) in the form of monolithic integrated circuits, each with a storage capacity of 64 K bits — one decoder in the form of a monolithic integrated circuit — one decoupling capacitor — two resistances The assemblies bear: — an identification marking either consisting of or including the following combination of figures and letters: EDH 91616 CL-30 (20) or	Free Free

Common Customs Tariff heading No	Description	Basic duties (%)
84.55 (cont.'d)	ex C. — other identification markings relating to assemblies complying with the abovementioned description — Assemblies for automatic data-processing machines, comprising UV-erasable, programmable, read-only memories (EPROMs) with a storage capacity of 64 K bits and static random-access memory in C-MOS technology (C-MOS S-RAM) with a storage capacity of 48 K bits consisting of a multilayer substrate, the exterior dimensions of which do not exceed 17 × 39 mm with 28 connecting pins on which are mounted: — a UV-erasable, programmable, read-only memory (EPROM) in the form of a monolithic integrated circuit with a storage capacity of 64 K bits and a quartz window on the upper surface — three static random-access memories in C-MOS technology (C-MOS S-RAM) in the form of monolithic integrated circuits each with a storage capacity of 16 K bits — a decoder in the form of a monolithic integrated circuit — a decoupling capacitor — two resistances The assemblies bear: — an identification marking either consisting of or including one of the following combinations of figures and letters: EDH 90806 BS-25 (15) EDH 90806 BS-30 (20) or — other identification marking relating to assemblies complying with the above description	Free
84.63	Transmission shafts, cranks, bearing housings, plain shaft bearings, gears and gearing (including friction gears and gear-boxes and other variable speed gears), flywheels, pulleys and pulley blocks, clutches and shaft couplings: B. Other: ex II. Other: — Integrally forged and roughly shaped generator and turbine shafts of a weight exceeding 180 tonnes	Free
85.21	Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells; mounted piezo-electric crystals; diodes, transistors and similar semi-conductor devices; light emitting diodes; electronic microcircuits:	

Common Customs Tariff heading No	Description	Basic duties (%)
85.21 (continued)	A. Valves and tubes: ex III. Cathode-ray tubes for television sets: — Cathode-ray tubes (colour) equipped with a perforated mask (so-called 'dot mask') with electron guns placed in a triangle ('delta' technique) or placed side by side ('in-line' technique) with convergence errors of not more than 0,8 mm in the corners, having a diagonal angle of deflection not exceeding 90° and with maximum colour dot spacing of less than 0,4 mm ex V. Other: — Cathode-ray tubes (colour) equipped with a perforated mask (so-called 'dot mask') with electron guns placed in a triangle ('delta' technique) or placed side by side ('in-line' technique) with convergence errors of not more than 0,8 mm in the corners, having a diagonal angle of deflection not exceeding 90° and with maximum colour dot spacing of less than 0,4 mm D. Diodes, transistors and similar semi-conductor devices; light emitting diodes; electronic microcircuits: ex II. Other: — Read-only memory in C-MOS technology (C-MOS ROM) with a storage capacity of 256 K bits and a standby current of not more than 0,03 mA, in the form of a monolithic integrated circuit contained in a housing whose exterior dimensions do not exceed 17 × 50 mm, with not more than 54 connecting pins and bearing: — an identification marking consisting of or including one of the following combinations of figures and letters: HN 61256 HN 613256 or — other identification markings relating to ROMs complying with the abovementioned description — Read-only memory of C-MOS technology (C-MOS ROM) with a storage capacity of 1 megabit in the form of a monolithic integrated circuit contained in a housing whose exterior dimensions do not exceed 17 × 39 mm, with not more than 28 connecting pins and bearing: — an identification marking consisting of or including the following combination of figures and letters: HN 62301 P or — other identification markings relating to C-MOS ROMs complying with the abovementioned description — UV-erasable, programmable, read-only memories (EPROMs) with a storage capacity of 2 K bits, in the form of a monolithic integrated circuit, contained in a housing whose exterior dimensions do not exceed 17 × 39 mm, with a quartz window on the upper surface and bearing:	Free Free Free Free Free

Common Customs Tariff heading No	Description	Basic duties (%)																							
85.21 (continued)	D. ex II. — an identification marking either consisting of or including one of the following combinations of figures and letters: B 1702 A AMI 702 ADC 82140 PP or — other identification markings relating to EPROMs complying with the abovementioned description Free — UV-erasable, programmable, read-only memories (EPROMs) with a storage capacity of 16 K × 8 bits, in the form of a monolithic integrated circuit, contained in a housing whose exterior dimensions do not exceed 17 × 39 mm, with a quartz window on the upper surface and bearing: — an identification marking either consisting of or including the following combination of figures: 27128 or — other identification markings relating to EPROMs complying with the abovementioned description 3,4 — UV-erasable, programmable, read-only memories (EPROMs) with a storage capacity of 256 K bits, in the form of a monolithic integrated circuit, contained in a housing whose exterior dimensions do not exceed 17 × 39 mm, with a quartz window on the upper surface and bearing: — an identification marking either consisting of or including the following combination of figures or figures and letters: D 27256 27256 TMS 27256 JL 27 C 256 or — other identification markings relating to EPROMs complying with the abovementioned description Free — Dynamic, random-access memories of N-MOS technology (N-MOS D-RAMs) with a storage capacity of 256 K bits, in the form of a monolithic integrated circuit, contained in a housing whose exterior dimensions do not exceed 17 × 34 mm, with not more than 20 connecting pins or contact areas and bearing: — an identification marking either consisting of or including one of the following combinations of figures and letters: <table><tr><td>41245</td><td>TMM 4256 AP</td><td>HM 50257</td></tr><tr><td>PD 41256 D</td><td>TMM 4256 P</td><td></td></tr><tr><td>TMM 41257</td><td>MCM 4256 S</td><td>MCM 6256</td></tr><tr><td></td><td>TMS 4256</td><td>MCM 6257</td></tr><tr><td></td><td>TMS 4257</td><td></td></tr><tr><td></td><td>MCM 4267 S</td><td>81256</td></tr><tr><td></td><td></td><td>81257</td></tr><tr><td></td><td></td><td>82256</td></tr></table>	41245	TMM 4256 AP	HM 50257	PD 41256 D	TMM 4256 P		TMM 41257	MCM 4256 S	MCM 6256		TMS 4256	MCM 6257		TMS 4257			MCM 4267 S	81256			81257			82256
41245	TMM 4256 AP	HM 50257																							
PD 41256 D	TMM 4256 P																								
TMM 41257	MCM 4256 S	MCM 6256																							
	TMS 4256	MCM 6257																							
	TMS 4257																								
	MCM 4267 S	81256																							
		81257																							
		82256																							

Common Customs Tariff heading No	Description	Basic duties (%)
85.21 (continued)	D. ex II. or — other identification markings relating to N-MOS D-RAMs complying with the abovementioned description	2
	— Static, random-access memories (S-RAMs), with a storage capacity of 16 K × 1 bit, a maximum access time of 35 ns and a standby power of not more than 150 milliwatts, in the form of a monolithic integrated circuit, contained in a housing whose exterior dimensions do not exceed 16 × 33 mm, with not more than 20 connecting pins and bearing: — an identification marking either consisting of or including the following combination of figures and letters: HM 6267 HP-35 MCM 2016-35 MB 81 C 67-35 or — other identification markings relating to S-RAMs complying with the abovementioned description	3,4
	— Static, random-access memories of N-MOS technology (N-MOS S-RAMs) with a storage capacity of 2 K × 8 bits and a maximum access time of 45 ns, in the form of a monolithic integrated circuit, contained in a housing whose exterior dimensions do not exceed 16 × 33 mm, with not more than 24 connecting pins and bearing: — an identification marking either consisting of or including one of the following combinations of figures and letters: TMM 2018 H-35 TMM 2018 H-45 65161 65162 or — other identification markings relating to N-MOS S-RAMs complying with the abovementioned description	3,4
	— Direct-access memory controllers of N-MOS technology (N-MOS DMA controller), in the form of a monolithic integrated circuit, contained in a housing whose exterior dimensions do not exceed 23 × 82 mm, with not more than 64 connecting pins and bearing: — an identification marking either consisting of one of the following combinations of figures or figures and letters or including one of those combinations: HD 6844 8237 MCM 68440 HD 68 A 44 8257 MCM 68450 HD 68 B 44 HD 68450-4 AM 9517 A HD 68450-6 HD 68450-8 CO 21698 or — other identification markings relating to N-MOS DMA controllers complying with the abovementioned description	Free

Common Customs Tariff heading No	Description	Basic duties (%)
85.21 (continued)	D. ex II. — Graphic display controller (GDC) with the capacity for controlling a 256 K word 16 bit memory, in the form of a monolithic integrated circuit, contained in a housing whose exterior dimensions do not exceed 15 × 52 mm, with not more than 40 connecting pins and bearing: — an identification marking either consisting of or including the following combination of figures and letters: PD 7220 or — other identification markings relating to GDCs complying with the abovementioned description Free — 16 bit microprocessor in H-MOS technology, in the form of a monolithic integrated circuit, consisting of a central processing unit (CPU), a timing generator, two independent DMA channels, a programmable interrupt controller, three programmable 16 bit timers, programmable memory and external chip selection logic, a programmable wait state generator with BUS control unit, contained in a housing whose external dimensions do not exceed 25 × 25 mm, with not more than 68 connecting pins and bearing: — an identification marking consisting of or including the following combination of figures and letters: C 80186 or — other identification markings relating to 16 bit microprocessors complying with the above description Free — Non-volatile memory, in the form of a monolithic integrated circuit, consisting of C-MOS S-RAM, with a capacity of 16 K bits and internal power supply, contained in a housing whose exterior dimensions do not exceed 17 × 33 mm, with not more than 28 connecting pins and bearing: — an identification marking either consisting of the following combination: MK 48 Z 02 (B) or — other identification markings relating to non-volatile memories which conform to the foregoing description Free	
ex 90.13	Optical appliances and instruments (but not including lighting appliances other than searchlights or spotlights), not falling within any other heading of this Chapter; lasers, other than laser diodes: — Liquid crystal devices (LCD), whose external dimensions do not exceed 40 × 154 mm with not more than 192 contact areas, consisting of a layer of liquid crystal between two glass sheets or plates with a minimum of 7 and a maximum of 32 figures or letters, and bearing:	

Common Customs Tariff heading No	Description	Basic duties (%)
ex 90.13 (continued)	— an identification marking either consisting of one of the following combinations of figures or including one of those combinations: 1000000-0001 to 9999999-9999 - or — or other identification marking relating to liquid crystal devices complying with the abovementioned description	1,6
92.11	Gramophones, dictating machines and other sound recorders or reproducers, including record-players and tape decks, with or without sound-heads; television image and sound recorders or reproducers: B. Television image and sound recorders or reproducers: I. Using magnetic tape on reels or in cassettes: a) Of a width of 1,3 cm or less and allowing recording or reproduction at a speed of 50 mm per second or less II. Other	3,2 3,2

ANNEX II

List of products referred to in Article 2 (2)

Common Customs Tariff heading No	Description	Basic duties (%)
03.01	Fish, fresh (live or dead), chilled or frozen: B. Saltwater fish: I. Whole, headless or in pieces: g) Atlantic halibut and lesser or Greenland halibut: 2. Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	Free
03.02	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process: A. Dried, salted or in brine: I. Whole, headless or in pieces: b) Cod (<i>Gadus morhua</i> , <i>Boreogadus saida</i> , <i>Gadus ogac</i>) II. Fillets: a) Of cod (<i>Gadus morhua</i> , <i>Boreogadus saida</i> , <i>Gadus ogac</i>)	Free Free
03.03	Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water: A. Crustaceans: IV. Shrimps and prawns: ex c) Other: Shrimps of the species 'Royal Red' (<i>Haliporoides sibogae</i> or <i>Hymenopenaeus sibogae</i>), peeled and deep-frozen, intended for the processing industry for the manufacture of products falling within heading No 16.05 (a)	9
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared: ex B. Other: — Sweet red or green peppers, in pieces, with a moisture content not exceeding 9,5 %	9,4

(a) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions. However, this basic duty shall not be applied where the treatment is carried out by retail sale or catering undertakings.

COUNCIL REGULATION (EEC) No 444/86

of 25 February 1986

authorizing the Kingdom of Spain and the Portuguese Republic to include national subdivisions for certain agricultural products within the Common Customs Tariff nomenclature

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and of Portugal, and in particular the second subparagraph of Article 76 (3) and the second subparagraph of Article 244 (3),

Having regard to the proposal from the Commission,

Whereas pursuant to the first subparagraph of Article 76 (3) and the first subparagraph of Article 244 (3) of the Act of Accession, the Kingdom of Spain and the Portuguese Republic will apply the Common Customs Tariff nomenclature from 1 March 1986 for the products specified in Articles 67 and 235 respectively of the Act; whereas, however, under the second subparagraph of Article 76 (3) and of Article 244 (3), they may be authorized to include existing national subdivisions within the Common Customs Tariff nomenclature for the purposes of gradual alignment with that Tariff or of elimination of duties within the Community, always provided that no difficulties arise for the application of Community rules;

Whereas, for those of the abovementioned products subject to customs duties, such an authorization will create no

difficulties and is warranted when products covered by a single Common Customs Tariff subheading are subject to different rates of duty; whereas the new Member States should be authorized in respect of the products in question to include national subdivisions within the Common Customs Tariff nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

Where the Community rules on products falling within Articles 67 and 235 of the Act of Accession involve the application of customs duties on importation from third countries, the Kingdom of Spain and the Portuguese Republic shall be authorized to include, within the Common Customs Tariff nomenclature, those national subdivisions indispensable for either gradual alignment with that Tariff or elimination of duties within the Community in accordance with the terms of the Act of Accession.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 445/86

of 24 February 1986

opening tariff quotas for the importation into Spain for certain fishery products falling within heading Nos 03.01, 03.03 and 16.04 and subheading 23.01 B of the Common Customs Tariff, originating in the Canary Islands (1986)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 3 of Protocol No 2 annexed thereto ⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas Article 3 of Protocol No 2 provides that fishery products falling within headings and subheadings 03.01, 03.02, 03.03, 05.15 A, 16.04, 16.05 and 23.01 B of the Common Customs Tariff, originating in the Canary Islands or in Ceuta and Melilla, shall qualify for duty-free entry into that part of Spain which is included in the customs territory of the Community within the limits of annual Community tariff quotas; whereas this tariff preference applies only to products which have been imported over the years 1982, 1983 and 1984; whereas there is no pattern of trade in the said products originating in Ceuta and Melilla and thus no need to open quotas for products originating in these territories; whereas for the said products originating in the Canary Islands the quota amounts calculated on the basis of Article 3 cited above amount to:

- 16 116 tonnes for the products of heading No 03.01, excluding subheadings 03.01 A I c) and d), 03.01 A IV,

03.01 B I a) 1, 03.01 B I b) 1, 03.01 B I c) 1 and 03.01 B I o) 1,

- 21 003 tonnes for products of heading No 03.03, excluding subheadings 03.03 B I a) and 03.03 B III,
- 9 359 tonnes for products of heading No 16.04 and
- 27 483 tonnes for products of subheading 23.01 B;

Whereas the other products are not imported;

Whereas when the products are imported into that part of Spain included in the Customs territory of the Community they may not be deemed to be in free circulation, within the meaning of Article 10 of the Treaty, if they are reconsigned to another Member State; whereas the tariff quotas in question should therefore be opened for the period until 31 December 1986,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period until 31 December 1986, duty-free Community tariff quotas shall be opened for the importation into that part of Spain which is included in the Customs territory of the Community of the following products originating in the Canary Islands, within the limits set out below:

Common Customs Tariff heading No	Description	(in tonnes)
		Quota volume
ex 03.01	Fish, fresh (live or dead), chilled or frozen, excluding products of subheadings 03.01 A I c) and d), 03.01 A IV, 03.01 B I a) 1, 03.01 B I b) 1, 03.01 B I c) 1 and 03.01 B I o) 1	16 116
ex 03.03	Crustaceans or molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water, excluding products of subheadings 03.03 B I a) and 03.03 B III	21 003
16.04	Prepared or preserved fish, including caviar and caviar substitutes	9 359
23.01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves; B. Flours and meals of fish, crustaceans or molluscs:	27 483

⁽¹⁾ OJ No L 302, 15. 11. 1985, p. 400.

2. The products imported into that part of Spain included in the customs territory of the Community under the tariff quotas may not be deemed to be in free circulation within the meaning of Article 10 of the Treaty, if they are reconsigned to another Member State.

3. The products referred to in this Article cannot qualify under the tariff quotas unless, at the time of their presentation to the authorities responsible for import formalities in that part of Spain included in the customs territory of the Community, in whatever form, they are presented in packings bearing the following information in a clearly visible and perfectly legible form:

- the marking, 'Origin: Canary Islands' or a translation thereof in another official Community language printed in Latin characters of a height of not less than 20 millimetres,
- the net weight in kilograms of the fish contained in the packings.

In addition, pre-packaged foodstuffs falling within heading No 16.04 must carry, on each immediate packing, in an easily visible, clearly legible and indelible form the marking 'Made in the Canaries' or a translation thereof in another official Community language.

This paragraph shall apply without prejudice to the specific rules laid down by Council Regulation (EEC) No 103/76 of 19 January 1976 laying down common marketing standards for certain fresh or chilled fish ⁽¹⁾ as last amended by Regulation (EEC) No 3396/85 ⁽²⁾, and by Council Regulation (EEC) No 104/76 of 19 January 1976 laying down common marketing standards for shrimps of the genus *Crangon* spp. ⁽³⁾, as last amended by Regulation (EEC) No 3118/85 ⁽⁴⁾.

This Regulation shall be binding in its entirety and directly applicable in the Member State in question.

Done at Brussels, 24 February 1986.

Article 2

1. The Member State in question shall ensure that importers of the products concerned have free access to the tariff quotas referred to in Article 1.

2. The Member State in question shall charge imports of the products concerned against the tariff quotas as and when these products are entered for free circulation.

3. The extent to which the tariff quotas have been used up shall be determined on the basis of the imports charged in accordance with paragraph 2.

Article 3

At the Commission's request, the Member State in question shall inform it of imports actually charged against the tariff quotas.

Article 4

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

Article 5

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

It shall apply from 1 January 1986. However, Article 1(3) second subparagraph shall only apply as from 1 July 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 20, 28. 1. 1976, p. 29.

⁽²⁾ OJ No L 322, 3. 12. 1985, p. 1.

⁽³⁾ OJ No L 20, 28. 1. 1976, p. 35.

⁽⁴⁾ OJ No L 297, 9. 11. 1985, p. 3.

COUNCIL REGULATION (EEC) No 446/86

of 24 February 1986

opening, allocating and providing for the administration of Community tariff quotas for certain fishery products falling within heading Nos 03.01, 03.03, 16.04 and subheading 23.01 B of the Common Customs Tariff, originating in the Canary Islands (1986)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 3 of Protocol No 2 annexed thereto,

Having regard to the proposal from the Commission,

Whereas Article 3 of Protocol No 2 and Article 10 of Protocol No 3 annexed to the Act of Accession⁽¹⁾ provide that fishery products falling within headings and subheadings 03.01, 03.02, 03.03, 05.15 A, 16.04, 16.05 and 23.01 B of the Common Customs Tariff, originating in the Canary Islands or in Ceuta and Melilla, shall qualify for reduced duties within the limits of annual Community tariff quotas on importation into the customs territory of the Community, excluding Spain; whereas this tariff preference is only applicable to products which have been imported over the years 1982, 1983 and 1984; whereas there is no pattern of trade in the said products originating in Ceuta and Melilla and thus no need to open quotas for products originating in those territories; whereas for the products originating in the Canary Islands the quota amounts calculated on the basis of Article 3 cited above amount to:

- 604 tonnes for the products of heading No 03.01, excluding subheadings 03.01 A I c) and d), 03.01 A IV, 03.01 B I a) 1, 03.01 B I b) 1, 03.01 B I c) 1 and 03.01 B I o) 1,
- 3 429 tonnes for products of tariff heading 03.03, excluding subheadings 03.03 B I a) and 03.03 B III,
- 539 tonnes for products of heading No 16.04, and
- 227 tonnes for products of subheading 23.01 B;

Whereas the other products are not imported;

Whereas when the products are imported within the limits of these quotas they shall qualify for a progressive reduction of customs duties in accordance with the same timetable and under the same conditions as those laid down by Article 173 of the Act of Accession, subject to compliance with the reference prices; whereas, however, when the products in question are imported into Portugal, the duties applicable shall be calculated on the basis of the relevant provisions of the Act of Accession; whereas in accordance with the said provisions, the tariff measures shall not have effect until 1 March 1986; whereas the tariff quotas in question should therefore be opened for the period from 1 March to 31 December 1986;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quotas and uninterrupted application of the rates laid down for these quotas to all imports of the products concerned into all Member States until the quotas have been used up; whereas, having regard to the principles mentioned above, the Community nature of the quotas can be respected by allocating the Community tariff quotas 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 of the products concerned originating in the Canary Islands 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, imports into each of the Member States were as follows (in tonnes):

⁽¹⁾ OJ No L 302, 15. 11. 1985, p. 400 and 410.

Member States	Heading No 03.01 Fish, fresh			Heading No 03.03 Crustaceans and molluscs			Heading No 16.04 Prepared or preserved fish			Subheading 23.01 B Flours and meals of fish		
	1982	1983	1984	1982	1983	1984	1982	1983	1984	1982	1983	1984
Benelux	471	31	—	—	6	—	—	74	208	—	—	—
Denmark	—	—	—	—	—	—	—	—	—	—	—	—
Germany	54	29	7	34	1	—	697	74	93	—	—	—
Greece	27	1	20	215	937	778	34	—	—	—	—	—
France	32	332	297	25	2	12	—	18	—	—	—	—
Ireland	—	—	—	—	—	—	—	—	—	—	—	—
Italy	99	12	16	1 934	3 510	2 641	—	—	72	—	682	—
United Kingdom	—	14	43	—	—	4	—	21	—	—	—	—
Portugal	157	53	118	44	28	117	56	269	—	—	—	—
Community	840	472	501	2 252	4 484	3 552	787	456	373	—	682	—

Whereas over the last three years only certain Member States have effected regular imports of the products in question, while there has been no importation whatsoever, or only sporadic importation, into the other Member States; whereas in these circumstances it is advisable, as a first step, to allocate initial quota shares to those Member States which actually import the products concerned, while guaranteeing the other Member States access to the tariff quotas when imminent imports into these countries are recorded; whereas this method of allocation ensures a uniform application of the Common Customs Tariff;

Whereas, in order to take into account import trends for the products concerned in the various Member States, each quota should be divided into two instalments, the first being shared among certain Member States and the second constituting a reserve to cover the subsequent requirements of these Member States where they have used up their initial shares and any additional requirements which might arise in the other Member States; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quotas should, under the circumstances, be fixed at 80 % respectively of the quota volumes;

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 shares should draw an additional share from the corresponding reserve; whereas this must be done by each Member State as and when each of its additional shares is almost 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 amounts have been used up and to inform 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 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 from 1 March until 31 December 1986 Community tariff quotas shall be opened in the Community excluding Spain for the following products, originating in the Canary Islands, within the limits set out below:

(in tonnes)		
Common Customs Tariff heading No	Description	Quota volume
ex 03.01	Fish, fresh (live or dead) chilled or frozen, excluding products of subheadings 03.01 A I c) and d), 03.01 A IV, 03.01 B I a) 1, 03.01 B I b) 1, 03.01 B I c) 1 and 03.01 B I c) 1	604
ex 03.03	Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water, excluding products of subheadings 03.03 B I a) and 03.03 B III	3 429
16.04	Prepared or preserved fish, including caviar and caviar substitutes	539
23.01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves; B. Flours and meals of fish, crustaceans or molluscs:	227

2. Within the limits of the tariff quotas, the duties set out below for each of the headings and subheadings shall be applicable:

Common Customs Tariff heading and subheading No	Quota duty %
03.01 A I a)	10,5
b)	1,7
II	2,6
III	7,0
B I a) 2	13,1
b) 2	11,3
c) 2	19,2
d)	20,1
e), f)	7,0
g) 1	7,0
g) 2	free
h)	10,5
ij), k), l), m), n)	13,1
o) 2	17,5
p), q), r), s), t), u), v), w), x), y)	13,1
II a)	15,7
b) 1, 2, 3	13,1
4	10,5
5, 6	13,1
7	15,7
8, 9, 10, 11, 12, 13, 14, 15, 16, 17	13,1
C	8,7
03.03 A I	10,9
II	free
III a)	7,0
b), c)	13,1
IV a)	10,5
b), c)	15,7
V	10,5

Common Customs Tariff heading and subheading No	Quota duty %
03.03 B I b)	15,7
(cont.) II	6,5
IV a) 1 aa)	5,2
bb)	5,2
cc)	7,0
dd)	7,0
2, 3, 4, 5, 6	7,0
b) 1 aa)	5,2
bb)	5,2
cc)	7,0
dd)	7,0
2	7,0
16.04 A	26,2
B I	4,8
II	6,1
C I	13,1
II	17,5
D	22,7
E	21,0
F	21,8
G I	13,1
II	17,5
23.01 B	1,7

Within the limit of the tariff quotas, Portugal shall apply customs duties calculated in accordance with the relevant provisions of the Act of Accession.

3. In order to benefit from the tariff quotas, the products concerned must comply with the reference prices applicable to them.

4. The fishery products covered by this article may not receive the benefit of the tariff quotas unless, at the time of their presentation, in whatever form, to the authorities responsible for import formalities with a view to their release for free circulation within the Community's customs territory, they are presented in packings bearing the following information in a clearly visible and perfectly legible form:

- the marking 'Origin: Canary Islands' or a translation thereof in another official Community language printed in Latin characters of a height of not less than 20 millimetres,
- the net weight in kilograms of the fish contained in the packings.

In addition, pre-packaged foodstuffs falling within heading No 16.04 must carry, on each immediate packing, in an easily visible, clearly legible and indelible form the marking 'Made in the Canaries', or a translation thereof in another official language of the Community.

This paragraph shall apply without prejudice of the specific rules laid down by Council Regulation (EEC) No 103/76 of 19 January 1976 laying down common marketing standards for certain fresh or chilled fish ⁽¹⁾, as last amended by Regulation (EEC) No 3396/85 ⁽²⁾ and by Council Regulation (EEC) No 104/76 of 19 January 1976, laying down common marketing standards for shrimps of the genus *Crangon* spp. ⁽³⁾, as last amended by Regulation (EEC) No 3118/85 ⁽⁴⁾.

Article 2

1. The tariff quotas referred to in Article 1 shall be divided into two parts.

2. The first part of each tariff quota shall be allocated among certain Member States; the quota shares which, subject to Article 5, shall be valid until 31 December 1986 shall be as follows:

(a) for the products of heading ex 03.01:

Benelux:	137 tonnes,
Germany:	25 tonnes,
France:	180 tonnes,
Italy:	34 tonnes,
Portugal:	89 tonnes,
United Kingdom:	15 tonnes;

(b) for the products of heading ex 03.03:

Greece:	520 tonnes,
Italy:	2 230 tonnes;

(c) for the products of heading No 16.04:

Benelux:	80 tonnes,
Germany:	240 tonnes,
Italy:	20 tonnes,
Portugal:	90 tonnes;

(d) for the products of subheading 23.01 B:

Italy:	180 tonnes.
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3. The second part of each tariff quota, respectively

- 124 tonnes for the products of heading ex 03.01,
- 679 tonnes for the products of heading ex 03.03, and
- 109 tonnes for the products of heading No 16.04, and
- 47 tonnes for the products of subheading 23.01 B,

shall constitute the corresponding Community reserve.

4. If an importer notifies the imminent import of the product in question into the other Member States and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve so permits.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the corresponding 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 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 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, 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.

⁽¹⁾ OJ No L 20, 28. 1. 1976, p. 29.

⁽²⁾ OJ No L 322, 3. 12. 1985, p. 1.

⁽³⁾ OJ No L 20, 28. 1. 1976, p. 35.

⁽⁴⁾ OJ No L 297, 9. 11. 1985, p. 3.

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 1986.

Article 5

The Member States shall return to the reserve, not later than 1 October 1986, such unused portion of their initial share as, on 15 September 1986, 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 1986 of the total quantities of the products in question imported up to 15 September 1986 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 reserves have been used up.

It shall inform the Member States, not later than 5 October 1986 of the amount in each 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, 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 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 Commission's request, the Member States shall inform it of imports of the products concerned 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 March 1986.

However, Article 1 (4), last subparagraph, shall only apply from 1 July 1986.

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

Done at Brussels, 24 February 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 447/86

of 24 February 1986

amending, on account of the accession of Spain and Portugal, Regulations (EEC) No 1598/85 and (EEC) No 1599/85 on the opening, allocation and administration of Community tariff quotas for cattle of certain mountain breeds

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to the Treaty establishing the European Economic Community,

Article 4 of Regulation (EEC) No 1598/85 is hereby replaced by the following:

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 396 thereof,

'Article 4

If an importer notifies an imminent importation of the animals in question in Denmark from 1 January 1986 or in Spain from 1 March 1986, and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements in so far as the available balance of the reserve so allows.'

Having regard to the proposal from the Commission,

Article 2

Whereas, by Regulations (EEC) No 1598/85 and (EEC) No 1599/85 ⁽¹⁾, the Council opened, for the period 1 July 1985 to 30 June 1986, Community tariff quotas at a duty of 4 % for cattle of certain mountain breeds; whereas, under Article 75 (2) (a) of the Act of Accession, the Kingdom of Spain is obliged, for the products in question, to apply the Common Customs Tariff duty fully from 1 March 1986; whereas, from that date, the benefit of these quotas should therefore cover this Member State's import needs coming from third countries in the course of the quota period; whereas this Member State's participation in the quotas in question should initially be restricted to the possibility of drawing from the Community reserves the quantities corresponding to these needs each time they arise,

Article 4 of Regulation (EEC) No 1599/85 is hereby replaced by the following:

'Article 4

If an importer notifies an imminent importation of the animals in question in countries of the Benelux, in Denmark or in Greece from 1 January 1986, or in Spain from 1 March 1986, and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements in so far as the available balance of the reserve so allows.'

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 24 February 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 155, 14. 6. 1985, p. 1 and 5.

COUNCIL REGULATION (EEC) No 448/86

of 24 February 1986

establishing, for the period from 3 March to 30 June 1986, certain measures for the conservation and management of fishery resources applicable to vessels flying the Japanese flag in waters falling under the sovereignty or jurisdiction of Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources ⁽¹⁾, and in particular Article 11 thereof,

Vessels flying the Japanese flag, fishing exclusively with long lines, shall be authorized, for the fishing period 3 March to 30 June 1986, to fish as their principal catch, bluefin tuna (*Thunnus thynnus thynnus*) in waters under the sovereignty or jurisdiction of Portugal that lie beyond 12 miles from the baselines, with the exception of the zones listed in Annex I, subject to the conditions laid down in this Regulation.

Having regard to the proposal from the Commission,

Article 2

Whereas Article 2 of Regulation (EEC) No 170/83 requires the Council to formulate the conservation measures necessary to achieve the aims set out in Article 1 of the Regulation in the light of available scientific advice;

1. The maximum number of long-liners referred to in Article 1 shall be 25: no vessel may exceed 500 grt.

Whereas since 3 March 1980 there has been a fisheries agreement between the Portuguese Republic and Japan authorizing fishing by a certain number of vessels flying the Japanese flag in certain parts of the waters falling under the sovereignty or jurisdiction of Portugal, in return for the payment of a fee and for scientific and technical cooperation;

2. The total catch of all the long-liners may not exceed 240 tonnes of bluefin tuna.

3. Other tuna species caught when fishing for bluefin tuna may not exceed 25 % of the total catch per vessel.

Whereas during the negotiations for the accession of the Portuguese Republic to the European Communities it was agreed that Portugal would denounce fisheries agreements concerning the activities in its waters of vessels flying the flags of non-member countries; whereas the fisheries agreement with Japan was denounced on 2 September 1985;

Article 3

1. The catch of bluefin tuna (*Thunnus thynnus thynnus*) of a unitary weight of less than 6,4 kg shall be prohibited.

Whereas that agreement is to expire on 2 March 1986; whereas, however, Japanese fishery activities should be temporarily maintained in the framework of cooperation with Japan to the benefit of local people who are greatly dependent on fisheries, in view of the need for balanced economic and social development of the Portuguese coastal regions;

2. The catch of yellowfin tuna (*Thunnus albacares*) of a unitary weight of less than 3,2 kg shall be prohibited.

3. The catch of bigeye tuna (*Thunnus obesus*) of a unitary weight of less than 3,2 kg shall be prohibited.

Whereas fishing by Japanese vessels in waters falling under the sovereignty or jurisdiction of Portugal is subject to Community fisheries regulations; whereas such fishing should be supplemented by certain technical and supervisory measures,

Article 4

1. Fishing by long-liners referred to in Article 1 in zones referred to in the same Article shall be subject to the possession on board of a licence, issued by the Commission on behalf of the Community, and to the observance of the conditions set out in that licence and the supervisory measures and other provisions regulating fishing activities in those zones.

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

2. The master of each vessel in possession of a licence must observe the special conditions set out in Annex II, and in particular the obligation to forward the information specified in the said Annex via the radio stations indicated therein. These conditions shall form part of the licence.

3. Each licence shall be valid for a single vessel and not be transferable. However, the Japanese authorities may request the Commission, by telex, to authorize the transfer of the licence for a vessel which is prevented from fishing during the set period for reasons of *force majeure* to a replacement vessel whose technical characteristics do not exceed those of the vessel to be replaced. The request shall provide all the information referred to in Article 7, in respect of this replacement vessel.

The Commission shall notify any transfer authorization, without delay and by telex, to the Japanese authorities and to the competent supervisory authorities. The replacement vessel can carry out fishing activities only after the date indicated by the Commission in its notification.

4. All licences referred to in paragraph 1 shall cease to be valid once the Commission has established that the quota laid down in Article 2 has been used up.

Article 5

The issue of fishing licences referred to in Article 4 shall be conditional on Japan's planning and implementing an annual scientific and technical cooperation programme to benefit Portugal's coastal population, which is greatly dependent on fishery activities.

Particular attention shall be paid in the programme to training requirements, the improvement of research capacity and the need for economic and social development of the Portuguese coastal regions.

The programme shall be submitted to the Commission before 15 February 1986.

Article 6

1. An application for licences shall be submitted by the Japanese authorities no later than 15 working days before the desired date of commencement of validity. The Commission shall issue the licences to the Japanese authorities and shall notify the competent supervisory authorities thereof.

2. The issue of licences to Japanese vessels shall be subject to an undertaking by the owner of the vessel to permit an observer to come on board at the Commission's request.

3. Unused licences may be cancelled with a view to the issuing of new licences. Cancellation shall take effect on the date the new licence is issued by the Commission.

New licences shall be issued in accordance with paragraph 1.

Article 7

1. The following information shall accompany applications for licences submitted to the Commission:

- (a) name of the vessel;
- (b) registration number;
- (c) external identification letters and numbers;
- (d) port of registration;
- (e) name and address of the owner or charterer;
- (f) gross tonnage and overall length;
- (g) engine power;
- (h) call sign and radio frequency;
- (i) proposed fishing zone;
- (j) period for which a licence is requested.

Article 8

1. The Portuguese authorities shall take appropriate measures, including the inspection of vessels, to ensure that the obligations under this Regulation are observed.

2. Where an infringement is duly ascertained, the Portuguese authorities shall forthwith, but at the latest within 30 days of the date on which the infringement was established, inform the Commission of the name of the vessel concerned and any action they may have taken.

Article 9

1. A vessel which has failed to comply with the obligations laid down in this Regulation shall have its licence withdrawn; such licence shall not be replaced.

2. If a vessel fishing without a valid licence in the waters referred to in Article 1 is owned or managed by a natural or legal person owning or managing one or more other vessels to which licences have been issued, one of those licences may be withdrawn.

Article 10

If, for a period of one month, the Commission receives no communication as laid down in Article 4 (2) for a vessel in possession of a licence referred to in that Article, the licence of that vessel shall be withdrawn.

Article 11

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

It shall apply until 30 June 1986.

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

Done at Brussels, 24 February 1986.

For the Council

The President

G. BRAKS

ANNEX I

Zones referred to in Article 1 where fishing is prohibited

1. The 200-mile zone of the Azores.
2. The zone within a line:
 - starting at $34^{\circ}55' \text{ N}$, $13^{\circ}40' \text{ W}$,
 - continuing north to $35^{\circ}10' \text{ N}$, $13^{\circ}40' \text{ W}$,
 - whence east following the $35^{\circ}10' \text{ N}$ parallel to its intersection with the line marking the limits of the exclusive economic zone, hereinafter referred to as 'EEZ',
 - following the EEZ demarcation line to its intersection with the $34^{\circ}55' \text{ N}$ parallel,
 - whence west along the $34^{\circ}55' \text{ N}$ parallel to the point of departure.
3. The zone within a line:
 - starting at $34^{\circ}55' \text{ N}$, $14^{\circ}25' \text{ W}$,
 - whence west to $34^{\circ}55' \text{ N}$, $14^{\circ}45' \text{ W}$,
 - whence north to $34^{\circ}50' \text{ N}$, $14^{\circ}45' \text{ W}$,
 - whence east to $34^{\circ}50' \text{ N}$, $14^{\circ}25' \text{ W}$,
 - whence south to the point of departure.
4. The zone within a line:
 - starting at $33^{\circ}40' \text{ N}$, $14^{\circ}05' \text{ W}$,
 - whence to $33^{\circ}40' \text{ N}$, $14^{\circ}35' \text{ W}$,
 - whence north-west to $34^{\circ}00' \text{ N}$, $14^{\circ}50' \text{ W}$,
 - whence east to $34^{\circ}00' \text{ N}$, $14^{\circ}20' \text{ W}$,
 - whence south to the point of departure.
5. The zone within a line:
 - starting at $35^{\circ}00' \text{ N}$, $15^{\circ}05' \text{ W}$,
 - whence west to $35^{\circ}00' \text{ N}$, $16^{\circ}00' \text{ W}$,
 - whence north to $35^{\circ}35' \text{ N}$, $16^{\circ}00' \text{ W}$,
 - whence east to $35^{\circ}35' \text{ N}$, $15^{\circ}05' \text{ W}$,
 - whence south to the point of departure.

ANNEX II

Special conditions

1. The fishing licence must be held on board the vessel.
2. The registration letters and numbers of a vessel in possession of a licence must be clearly marked on both sides of the superstructure at the most visible point. The letters and numbers must be painted in a colour that contrasts with the colour of the hull or superstructure and must not be effected, altered, covered or concealed in any other way.
3. A log-book must be kept in which are recorded, after each fishing operation:
 - 3.1. catch by species (in kilograms);
 - 3.2. the date and the time at which the fishing operation started and the time at which it finished;
 - 3.3. the ICES and CECAF statistical grid where the catch was taken;
 - 3.4. the fishing method used;
 - 3.5. any radio message emitted in accordance with points 4 to 6.
4. Communications transmitted in accordance with the conditions of the licence should give the following information:
 - (a) name of vessel;
 - (b) radio call sign;
 - (c) licence number;
 - (d) chronological number of the transmission for the trip in question;
 - (e) indication of which of the types of transmission, as set out in paragraph 5, is involved;
 - (f) date;
 - (g) time;
 - (h) geographical position;
 - (i) for vessels in possession of a licence referred to in Article 3, the activity of the vessel during the period (under way, fishing, at anchor, in harbour, unloading, under repair, others);
 - (j) quantity of each species caught during the fishing operation (in kilograms);
 - (k) quantity of each species caught since the previous transmission of information (in kilograms);
 - (l) the geographical coordinates of the position where the catches were made;
 - (m) quantities of catches, by species, transferred to other vessels (in kilograms) since the previous information;
 - (n) the name, call sign and, where applicable, licence number of the vessel to which the catch was transferred;
 - (o) the master's name.
5. The information referred to in paragraph 4 must be communicated by vessels in possession of a licence to the Commission of the European Communities in Brussels (address: telex 24 189 FISEU-B) via a Lisbon radio station (call sign CUL) or Madeira (call sign CUB) radio station at the following times:
 - (a) for information referred to in (a), (b), (c), (d), (e), (f), (g) and (h):
 - when announcing departure, which announcement must be made at least 48 hours before the planned departure of the vessel from the exclusive economic zone lying off the Portuguese coast, hereinafter referred to as 'EEZ';

(b) for information referred to in (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n) and (o):

- on each entry into the EEZ,
- whenever leaving the EEZ,
- whenever entering a port of a Member State,
- whenever leaving a port of a Member State,
- every week in respect of the previous week from the date of entry into the EEZ or from the date of leaving a port of a Member State.

6. The following code shall be used in reporting species caught in accordance with point 4:

Code	Scientific name
BFT	<i>Thunnus thynnus thynnus</i>
YFT	<i>Thunnus albacares</i>
ALB	<i>Thunnus alalunga</i>
BET	<i>Thunnus obesus</i>
SKJ	<i>Katsuwonus pelamis</i>
SWO	<i>Xiphias gladius</i>
BIL	<i>Istiophoridae</i>
OTH	Other

COUNCIL REGULATION (EEC) No 449/86

of 24 February 1985

determining the arrangements to be applied by the Kingdom of Spain and the Portuguese Republic to trade with certain third countries

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 Act of Accession of Spain and Portugal, hereinafter referred to as the 'Act',

Having regard to the proposal from the Commission,

Whereas the situation envisaged in Articles 180 and 367 of the Act exists with regard to the Agreements mentioned in the first indent of Article 181 (1) and the first indent of Article 368 (1) of that Act, with the exception of those Agreements concluded with members of the European Free Trade Association;

Whereas, pursuant to the said Articles 180 and 367 of the Act, the Community is required to take the necessary measures to deal with this situation after accession;

Whereas Regulation (EEC) No 60/86 ⁽¹⁾ has determined the arrangements to be applied by the Kingdom of Spain and the Portuguese Republic to trade with certain third countries until 28 February 1986.

Whereas, from that date and pending the conclusion of protocols referred to in Articles 179 and 366 of the Act, the arrangements to be applied by the new Member States to trade with third countries under the aforementioned Agreements should be subject to the general provisions governing trade with third countries,

HAS ADOPTED THIS REGULATION:

Article 1

The provisions applicable by the Kingdom of Spain and the Portuguese Republic to trade with third countries under the Agreements referred to in the first indent of Article 181 (1) and in the first indent of Article 368 (1) of the Act, with the exception of the Agreements concluded with Austria, Finland, Iceland, Norway, Sweden and Switzerland, shall be subject to the tariff treatment and other trade rules applied to third countries enjoying most-favoured-nation treatment in accordance with the said Act.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 24 February 1986.

*For the Council**The President*

G. BRAKS

⁽¹⁾ OJ No L 12, 16. 1. 1986, p. 1.

COUNCIL REGULATION (EEC) No 450/86

of 24 February 1986

opening, allocating and providing for the administration of autonomous tariff quotas for coffee, unroasted and not freed of caffeine, and cocoa beans, whole or broken, falling within subheading 09.01 A I a) and heading No 18.01 of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation from the Commission,

	09.01 A I a	18.01
Benelux	0,86	1,52
Denmark	0,24	0,01
Germany	1,95	2,50
Spain	95	95
Greece	0,11	0,14
France	0,60	0,25
Ireland	0,01	0,01
Italy	0,76	0,22
Portugal	0,25	0,01
United Kingdom	0,22	0,34

Whereas in the context of the accession negotiations, and so as to take into account the traditional trade flows between Spain and Latin America, the Community proposes that, for the first three years of the transitional period, duty — free autonomous Community tariff quotas be opened of 400 000 tonnes for coffee, unroasted and not freed of caffeine, falling within subheading 09.01 A I a) of the Common Customs Tariff and of 10 000 tonnes for cocoa beans, whole or broken, falling within heading No 18.01 of the Common Customs Tariff; whereas these quotas should be opened for their first year of application, namely for the period 1 March to 31 December 1986;

Whereas in particular, equal and continuous access to the quotas should be ensured for all importers, and the rate of duty for the tariff quotas should be applied consistently to all imports until the quota is exhausted; whereas, in the light of these principles, arrangements for the utilization of the tariff quotas based on an allocation among Member States would seem to be consistent with the Community nature of the quotas; whereas, to correspond as closely as possible to the actual trend in the market in the products in question, allocation of the quotas should be in proportion to the requirements as calculated by reference to statistics of imports from third countries during a representative reference period and to the economic outlook for the quota period in question;

Whereas, however, it has not been possible to collect complete and accurate statistical data on all Member States' imports of the products in question from third countries that do not benefit from an equivalent tariff preference; whereas, on the basis of the available data, and taking into account the special nature of these quotas, the percentages of the initial participation in the quotas may be estimated as being the following:

Whereas, to take account of the possible import trends for these products, the quota volumes should be divided into two parts, 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 Community tariff quotas should be fixed at a high level, which in this case could be about 99 % of the quota amounts;

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 quotas 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 March to 31 December 1986 Community tariff quotas shall be opened for the following products within the limit indicated for each of them:

(tonnes)

CCT heading No	Description	Quota volume
09.01 A I a)	Coffee, unroasted and not freed of caffeine	40 000
18.01	Cocoa beans, whole or broken	10 000

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

3. Within the limits of these tariff quotas the Common Customs Tariff duty shall be totally suspended.

Article 2

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

2. A first instalment, of 39 500 and 9 900 tonnes respectively, shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid from 1 March to 31 December 1986 shall be as follows:

(tonnes)

	09.01 A I a	18.01
Benelux	340	150
Denmark	95	1
Germany	771	247
Spain	37 525	9 405
Greece	45	14
France	239	25
Ireland	1	1
Italy	300	22
Portugal	99	1
United Kingdom	85	34

3. The second instalment, of 500 and 100 tonnes respectively, shall constitute the corresponding reserve.

Article 3

1. If a Member State has used 90 % or more of one of its initial shares 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 one or the other of its initial shares, 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 whole number.

3. If a Member State, after exhausting one or the other of its second shares, 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 each of the reserves is used up.

4. By way of derogation from paragraphs 1, 2 and 3, each 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 1986.

Article 5

Member States shall, not later than 1 October 1986, return to the reserve the unused portion of each of their initial shares which on 15 September 1986 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 1986, notify the Commission of the total quantities of the products in question imported up to and including 15 September 1986 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 reserves have been used up.

It shall, not later than 5 October 1986, inform the Member States of the amount still in the reserves, following any return of shares pursuant to Article 5.

It shall ensure that the drawing which exhausts one of the reserves 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 importation may be charged without interruption against their accumulated shares of the Community quota.

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

3. The 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

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 March 1986.

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

Done at Brussels, 24 February 1986.

For the Council

The President

G. BRAKS

COMMISSION OF THE EUROPEAN COMMUNITIES

Document

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