

Official Journal

of the European Communities

ISSN 0378-6978

L 398

Volume 30

31 December 1987

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ Council Regulation (EEC) No 4166/87 of 21 December 1987 establishing ceilings and Community surveillance for imports of certain products originating in Malta (1988) 1
- ★ Council Regulation (EEC) No 4167/87 of 21 December 1987 totally or partially suspending the duties applicable to certain products falling within Chapters 1 to 24 of the combined nomenclature and originating in Malta (1988) 8
- ★ Council Regulation (EEC) No 4168/87 of 21 December 1987 opening and providing for the administration of a Community tariff quota for dried grapes falling within subheadings 0806 20 11 or 0806 20 19 of the combined nomenclature and originating in Cyprus (1988) 14
- ★ Council Regulation (EEC) No 4169/87 of 21 December 1987 opening and providing for the administration of a Community tariff quota for sweet peppers falling within subheading 0709 60 10 of the combined nomenclature and originating in Cyprus (1988) 16
- ★ Council Regulation (EEC) No 4170/87 of 21 December 1987 opening and providing for the administration of a Community tariff quota for salad beetroot falling within subheading ex 0706 90 90 of the combined nomenclature and originating in Cyprus (1988) 18
- ★ Council Regulation (EEC) No 4171/87 of 21 December 1987 opening, allocating and providing for the administration of a Community tariff quota for wine of fresh grapes, falling within subheadings 2204 21 25, 2204 21 29, ex 2204 21 35 or ex 2204 21 39 of the combined nomenclature and originating in Cyprus (1988) 20
- ★ Council Regulation (EEC) No 4172/87 of 21 December 1987 opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheadings ex 2204 21 35, ex 2204 21 39, ex 2204 29 35, ex 2204 29 39, ex 2204 21 49, ex 2204 29 49, ex 2204 21 59, ex 2204 29 59 of the combined nomenclature and originating in Cyprus (1988) 23
- ★ Council Regulation (EEC) No 4173/87 of 21 December 1987 opening and providing for the administration of a Community tariff quota for cut flowers and flower buds, fresh, falling within subheadings 0603 10 11 to 0603 10 69 of the combined nomenclature and originating in Cyprus (1988) 27

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 4166/87

of 21 December 1987

establishing ceilings and Community surveillance for imports of certain products originating in Malta (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the provisions of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾, have lapsed;

Whereas the arrangements which the Community applies to trade with Malta within the context of the association with that country should be extended for 1988;

Whereas the Council has adopted Regulation (EEC) No 2357/86 of 24 July 1986 amending Regulations (EEC) No 3555/80, (EEC) No 3394/85 and (EEC) No 3668/85 as regards imports into Greece of certain products originating in Malta ⁽²⁾; whereas, since a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal does not exist, the Community must take the measures referred to in Articles 180 and 367 of that Act, whereas this Regulation applies to the Community as constituted on 31 December 1985;

Whereas the abovementioned Additional Protocol provides for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas, however, exemption from duties in respect of a number of products is subject to ceilings above which the customs duties applicable to third countries may be reimposed; whereas the ceilings to be applied in 1988 should therefore be determined; whereas those ceilings can be applied only if the Community is regularly informed of imports of the said products originating in Malta; whereas imports of those products should therefore be subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products are entered with customs authorities for free circulation; whereas this administrative procedure must provide for the possibility of the applicable customs duties being reimposed as soon as the ceilings are reached at Community level;

Whereas the nomenclature used will be replaced from 1 January 1988 by the combined nomenclature based on the International Convention on the Harmonized Commodity Description and Coding System; whereas this Regulation must therefore take account of that fact by indicating the combined nomenclature codes and, where appropriate, the Taric code numbers of the products concerned;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission and the latter must in particular be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take appropriate measures to reimpose customs tariffs if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1988 imports into the Community as constituted on 31 December 1985 of the products listed in the Annex and originating in Malta shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, the corresponding combined nomenclature codes and the ceilings are set out in the Annex.

⁽¹⁾ OJ No L 304, 29. 11. 1977, p. 2.

⁽²⁾ OJ No L 205, 29. 7. 1986, p. 9.

2. Quantities shall be charged against the ceilings as and when the products are entered with customs authorities for free circulation accompanied by a movement certificate in accordance with the rules contained in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾.

Goods may be charged against the ceiling only if the movement certificate is submitted before the date on which customs duties are reimposed.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it in the manner defined in the preceding subparagraphs.

Member States shall inform the Commission of imports charged in accordance with the above procedure at the intervals and within the time limits specified in paragraph 4.

3. As soon as the ceilings have been reached, the Commission may adopt a Regulation reimposing until the end of the calendar year the customs duties applicable to third countries.

4. Member States shall send the Commission not later than the 15th day of each month statements of the quantities charged during the preceding month. If the Commission so requests, they shall provide such statements for periods of 10 days and forward them within five clear days of the end of each 10-day period.

Article 2

The Commission, in close cooperation with the Member States, shall take all appropriate measures for the purposes of applying this Regulation.

Article 3

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 1988.

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

Done at Brussels, 21 December 1987.

For the Council

The President

B. HAARDER

⁽¹⁾ OJ No L 111, 28. 4. 1976, p. 3.

ANNEX

List of products subject to import ceilings in 1988

Order No	CN code	Description	Level of ceiling (tonnes)
11.0010	5204	Cotton sewing thread, whether or not put up for retail sale:	application of ceiling suspended
		– Not put up for retail sale:	
	5204 11 00	– – Containing 85 % or more by weight of cotton	
	5204 19 00	– – Other	
	5205	Cotton yarn (other than sewing thread), containing 85 % or more by weight of cotton, not put up for retail sale	
	5206	Cotton yarn (other than sewing thread), containing less than 85 % by weight of cotton, not put up for retail sale	
11.0020	5604	Rubber thread and cord, textile covered; textile yarn, and strip and the like of heading No 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics:	application of ceiling suspended
	ex 5604 90 00	– Other:	
		– – Of cotton	
	5208	Woven fabrics of cotton, containing 85 % or more by weight of cotton, weighing not more than 200 g/m ²	
	5209	Woven fabrics of cotton, containing 85 % or more by weight of cotton, weighing more than 200 g/m ²	
	5210	Woven fabrics of cotton, containing less than 85 % by weight of cotton, mixed mainly or solely with man-made fibres, weighing not more than 200 g/m ²	
11.0030	5211	Woven fabrics of cotton, containing less than 85 % by weight of cotton, mixed mainly or solely with man-made fibres, weighing more than 200 g/m ²	application of ceiling suspended
	5212	Other woven fabrics of cotton	
	5801	Woven pile fabrics and chenille fabrics, other than fabrics of heading No 5802 or 5806:	
		– Of cotton:	
	5801 21 00	– – Uncut weft pile fabrics	
	ex 5811 00 00	Quilted textile products of cotton in the piece, composed of one or more layers of textile materials assembled with padding by stitching or otherwise, other than embroidery of heading No 5810	
11.0040	ex 6308 00 00	Sets consisting of woven fabric and yarn, of cotton, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes, or similar textile articles, put up in packings for retail sale	application of ceiling suspended
	5506	Synthetic staple fibres, carded, combed or otherwise processed for spinning	
	5507	Artificial staple fibres, carded, combed or otherwise processed for spinning	
	5608	Knotted netting of twine, cordage or rope; made-up fishing nets and other made-up nets, of textile materials:	
	5608 19	– Of man-made textile materials:	
		– – Other:	
11.0040		– – – Made-up nets:	application of ceiling suspended
		– – – – Of nylon or other polyamides:	
	5608 19 19	– – – – – Other	
		– – – – – Other:	
	5608 19 39	– – – – – Other	
	5608 90 00	– Other	

Order No	CN code	Description	Level of ceiling (tonnes)
11.0040 (cont'd)	6101	Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, knitted or crocheted, other than those of heading No 6103	
	6102	Women's or girls' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, knitted or crocheted, other than those of heading No 6104	
	6103	Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted	
	6104	Women's or girls' suits, ensembles, jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted	
	6106	Women's or girls' blouses, shirts and shirt-blouses, knitted or crocheted	
	6107	Men's or boys' underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted: - Other:	
	6107 91 00	-- Of cotton	
	6107 92 00	-- Of man-made fibres	
	6107 99 00	-- Of other textile materials	
	6108	Women's or girls' slips, petticoats, briefs, panties, nightdresses, pyjamas, negligés, bathrobes, dressing gowns and similar articles, knitted or crocheted: - Other:	
	6108 91 00	-- Of cotton	
	6108 92 00	-- Of man-made fibres	
	6108 99	-- Of other textile materials:	
	6108 99 10	--- Of wool or fine animal hair	
	6108 99 90	--- Of other textile materials	
	6110	Jerseys, pullovers, cardigans, waistcoats and similar articles, knitted or crocheted:	
	6110 10	- Of wool or fine animal hair: -- Other: --- Men's or boys':	
	6110 10 31	---- Of wool	
	6110 10 39	---- Of fine animal hair	
		--- Women's or girls':	
	6110 10 91	---- Of wool	
	6110 10 99	---- Of fine animal hair	
	6110 20	- Of cotton: -- Other:	
	6110 20 91	--- Men's or boys'	
	6110 20 99	--- Women's or girls'	
	6110 30	- Of man-made fibres: -- Other:	
	6110 30 91	--- Men's or boys'	
	6110 30 99	--- Women's or girls'	
	6110 90	- Of other textile materials:	
	6110 90 10	-- Of flax or ramie	
	6110 90 90	-- Other	

Order No	CN code	Description	Level of ceiling (tonnes)
11.0040 (cont'd)	6111	Babies' garments and clothing accessories, knitted or crocheted:	application of ceiling suspended
	6111 10	– Of wool or fine animal hair:	
	6111 10 90	– – Other	
	6111 20	– Of cotton:	
	6111 20 90	– – Other	
	6111 30	– Of synthetic fibres:	
	6111 30 90	– – Other	
	6111 90 00	– Of other textile materials	
	6112	Track suits, ski suits and swimwear, knitted or crocheted:	
		– Track suits:	
	6112 11 00	– – Of cotton	
	6112 12 00	– – Of synthetic fibres	
	6112 19 00	– – Of other textile materials	
	6112 20 00	– Ski suits	
		– Men's or boys' swimwear:	
	6112 31	– – Of synthetic fibres:	
	6112 31 90	– – – Other	
	6112 39	– – Of other textile materials:	
	6112 39 90	– – – Other	
		– Women's or girls' swimwear:	
	6112 41	– – Of synthetic fibres:	
	6112 41 90	– – – Other	
	6112 49	– – Of other textile materials:	
	6112 49 90	– – – Other	
	6113 00	Garments, made up of knitted or crocheted fabrics of heading No 5903, 5906 or 5907:	
	6113 00 90	– Other	
	6114	Other garments, knitted or crocheted	
	6117	Other made up clothing accessories, knitted or crocheted; knitted or crocheted parts of garments or of clothing accessories	
	6301	Blankets and travelling rugs:	
	6301 20	– Blankets (other than electric blankets) and travelling rugs, of wool or of fine animal hair:	
	6301 20 10	– – Knitted or crocheted	
	6301 30	– Blankets (other than electric blankets) and travelling rugs, of cotton:	
	6301 30 10	– – Knitted or crocheted	
	6301 40	– Blankets (other than electric blankets) and travelling rugs, of synthetic fibres:	
	6301 40 10	– – Knitted or crocheted	

Order No	CN code	Description	Level of ceiling (tonnes)
11.0040 (cont'd)	6301 90	– Other blankets and travelling rugs:	application of ceiling suspended
	6301 90 10	– – Knitted or crocheted	
	6302	Bed linen, table linen, toilet linen and kitchen linen:	
	6302 10	– Bed linen, knitted or crocheted:	
	6302 10 10	– – Of cotton	
	6302 10 90	– – Of other textile materials	
	6302 40 00	– Table linen, knitted or crocheted	
	6303	Curtains (including drapes) and interior blinds; curtain or bed valances:	
		– Knitted or crocheted:	
	6303 11 00	– – Of cotton	
	6303 12 00	– – Of synthetic fibres	
	6303 19 00	– – Of other textile materials	
	6304	Other furnishing articles, excluding those of heading No 9404:	
		– Bedspreads:	
	6304 11 00	– – Knitted or crocheted	
		– Other:	
	6304 91 00	– – Knitted or crocheted	
	6305	Sacks and bags, of a kind used for the packing of goods:	
	6305 20 00	– Of cotton	
		– Of man-made textile materials:	
	6305 31	– – Of polyethylene or polypropylene strip or the like	
	ex 6305 39 00	– – Other:	
		– – – Of cotton	
	ex 6305 90 00	– Of other textile materials:	
		– – Of cotton	
11.0050	6307	Other made up articles, including dress patterns:	
	6307 10	– Floor-cloths, dish-cloths, dusters and similar cleaning cloths:	
	6307 10 10	– – Knitted or crocheted	
	6307 90	– Other:	
	6307 90 10	– – Knitted or crocheted	
	6201	Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, other than those of heading No 6203	
	6203	Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear)	
	6207	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles:	
		– Other:	
	6207 91 00	– – Of cotton	
	6207 92 00	– – Of man-made fibres	
	6207 99 00	– – Of other textile materials	

Order No	CN code	Description	Level of ceiling (tonnes)
11.0050 (cont'd)	6210	Garments, made up of fabrics of heading Nos 5602, 5603, 5903, 5906 or 5907:	1 392 tonnes
	6210 10	— Of fabrics of heading No 5602 or 5603:	
		— Of fabrics of heading No 5603:	
	6210 10 91	— In sterile packs	
	6210 10 99	— Other	
	6210 20 00	— Other garments, of the type described in subheadings 6201 11 to 6201 19	
	6210 40 00	— Other men's or boys' garments	
	6211	Track suits, ski suits and swimwear; other garments:	
		— Swimwear:	
	6211 11 00	— Men's or boys'	
	6211 20 00	— Ski suits	
		— Other garments, men's or boys':	
	6211 31 00	— Of wool or fine animal hair	
	6211 32	— Of cotton:	
	6211 32 10	— Industrial and occupational clothing	
	6211 32 90	— Other	
	6211 33	— Of man-made fibres:	
	6211 33 10	— Industrial and occupational clothing	
	6211 33 90	— Other	
	6211 39 00	— Of other textile materials	
	6217	Other made up clothing accessories; parts of garments or of clothing accessories, other than those of heading No 6212:	
	6217 90 00	— Parts	

COUNCIL REGULATION (EEC) No 4167/87

of 21 December 1987

totally or partially suspending the duties applicable to certain products falling within
Chapters 1 to 24 of the combined nomenclature and originating in Malta (1988)

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 Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Annex I to the Agreement establishing an Association between the European Economic Community and Malta⁽²⁾, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it would also be appropriate provisionally to adjust or supplement certain of the tariff benefits provided for in the said Annex; whereas, in respect of products listed in the Annex to this Regulation and originating in Malta, the Community should accordingly suspend the fixed component of the charge applicable to goods covered by Regulation (EEC) No 3033/80 and the customs duty applicable to other goods at the levels indicated for each product from 1 January to 31 December 1988;

Whereas the Council has adopted Regulation (EEC) No 2357/86 of 24 July 1986 amending Regulations (EEC) No 3555/80, (EEC) No 3394/85 and (EEC) No 3668/85 as regards imports into Greece of certain products originating in Malta⁽³⁾; whereas, since a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal does not exist, the Community must take the measures referred to in Articles 180 and 367 of that Act; whereas this Regulation applies to the Community as constituted on 31 December 1985;

Whereas the nomenclature used in the Common Customs Tariff will be replaced from 1 January 1988 by the combined nomenclature based on the International Convention on the Harmonized Commodity Description and Coding System; whereas this Regulation must therefore take account of that fact by indicating the combined nomenclature codes and, where appropriate, the TARIC code numbers of the products concerned;

Article 1

1. From 1 January to 31 December 1988 products listed in the Annex and originating in Malta shall be imported into the Community as constituted on 31 December 1985 at the rates of duty indicated in the Annex for each product.

2. For the purposes of applying this Regulation, the rules of origin shall be those in force at the time for the implementation of the Agreement establishing an association between the European Economic Community and Malta.

Article 2

Where products benefiting from the arrangements provided for in Article 1 are imported into the Community in such quantities or at such prices that they cause or threaten to cause material injury to Community producers of like or directly competing products, the duties applicable may be partially or totally reimposed on the products concerned. Such measures may be taken also in the event of material injury or threat of material injury limited to one region of the Community.

Article 3

1. In order to implement Article 2 the Commission may adopt a Regulation reimposing customs duties for a given period.

2. Where a Member State asks the Commission to adopt such a Regulation, the Commission shall reach its decision within a maximum of 10 working days from the day on which it receives the request and shall inform the Member States of the action taken.

3. Any Member State may refer the measure taken by the Commission to the Council within ten working days of notification. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

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 1988.

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No L 61, 14. 3. 1971, p. 3.

⁽³⁾ OJ No L 205, 29. 7. 1986, p. 9.

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

Done at Brussels, 21 December 1987.

For the Council

The President

B. HAARDER

ANNEX (a)

Order No	CN code	Description	Rate of duty
16.0001	0203 11 90 0203 12 90 0203 19 90 0203 21 90 0203 22 90 0203 29 90	Meat of swine, fresh, chilled or frozen: – Fresh of chilled: – Careases and half-carcases: – Other – Hams, shoulders and cuts thereof, with bone in: – Other: – Other: – Other: – Frozen	Free
16.0003	0208 90 10	Other meat and edible meat offal, fresh, chilled or frozen: – Other: – Of domestic pigeons	5 %
16.0005	0208 10 90 ex 0208 90 30	– Of furred game	Free
16.0007	0208 20 00	– Frogs' legs	Free
16.0009	0208 90 90	– Other	Free
16.0011	0409 00 00	Natural honey	25 %
16.0023	ex 0603 90 00	– Other – Cut flowers, dried but not otherwise prepared	7 %
16.0025	ex 0603 90 00	– Cut flowers, dyed, bleached, impregnated or otherwise prepared	15 %
16.0027	0706 90 30	Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled: – Horse-radish (<i>Cochlearia armoracia</i>)	13 %
16.0029	ex 0709 90 90	– Other: – 'Comboux' (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L. Moench)) <i>Moringa oleifera</i> (drumsticks)	Free
16.0031	ex 0710 80 90	Vegetables (uncooked or cooked by steaming or boiling in water), frozen: – Other: – 'Comboux' (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L. Moench))	13 %
16.0033	ex 0711 90 70	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption: – Other vegetables: – 'Comboux' (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L. Moench)) Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared: – Other:	Free
16.0035	ex 0712 90 90	– Horse-radish (<i>Cochlearia armoracia</i>)	Free
16.0037	ex 0712 90 90	– 'Comboux' (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L. Moench))	11 %

(a) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the designation of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the application of the combined nomenclature code.

Order No	CN code	Description	Rate of duty
16.0039	0810 0810 20 90 0810 30 90 0810 40 90 ex 0810 90 90	Other fruit, fresh: — Fresh berries	5 %
16.0041	1519 13 00 1519 19 00 1519 20 00	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols: — Industrial monocarboxylic fatty acids: — Tall oil fatty acids — Other — Acid oils from refining	Free
16.0043	ex 1602 20 10	Other prepared or preserved meat, meat offal or blood: — Goose or duck liver	10 %
16.0045	ex 1602 90 31	— Of game or rabbit: — Of game	8 %
16.0047	ex 1602 90 31	— Of game or rabbit: — Of rabbit	14 %
	1602 50 ex 1602 50 90	— Of bovine animals: — Other	
16.0049	1602 90	— Prepared or preserved tongues — Other, including preparations of blood of an animal:	17 %
16.0051	ex 1602 90 71 ex 1602 90 79	— Of sheep	18 %
16.0053	ex 1602 90 71 ex 1602 90 79	— Of goats	16 %
16.0055	ex 1602 90 99 1605 90 90	— Other	16 %
16.0057	2003 20 00	Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid — Truffles	14 %
16.0059	ex 2004 90 99 2005 60 00	Vegetables and fruits, prepared or preserved otherwise than by vinegar or acetic acid: — Asparagus	20 %
16.0061	ex 2004 90 30 2005 30 00	— Sauerkraut	15 %
16.0063	ex 2004 90 30 2005 90 30	— Capers	12 %
16.0065	ex 2004 90 99 2005 90 90 ex 2009 80 39	— Other, including mixtures: — Moringa oleifera (drumsticks) Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter: — of a density exceeding 1,33 g/cm ³ at 20 °C: — of a value exceeding 30 ECU per 100 kg net weight: — Date juice	Free
16.0069	ex 2009 80 39	— Other juice of fruits falling within codes 0801, 0803, 0804 (excluding fig and date juice), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10, 0810 90 90	8 %
16.0071	ex 2009 80 31 2009 90 21	— Of a value not exceeding 30 ECU per 100 kg net weight: — Juice of fruits falling within codes 0801, 0803, 0804 (excluding fig juice), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10 or 0810 90 90	8 % + AGR

Order No	CN code	Description	Rate of Duty
16.0073	ex 2009 20 99	- Of a density not exceeding 1,33 g/cm ³ at 20°C: --- Of a value exceeding 30 ECU per 100 kg: ---- Grapefruit juice	7 %
16.0075	ex 2009 30 31	---- Juice of any other single citrus fruit (other than lemon juice) containing added sugar	13 %
16.0077	ex 2009 30 39	---- Juice of any other single citrus fruit (other than lemon juice) not containing added sugar	13 %
16.0079	ex 2009 80 80	---- Juice of any other single fruit or vegetable: ----- Juice of other fruits or vegetables falling within codes 0801, 0803, 0804 (excluding fig juice), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10 or 0810 90 90	8 %
16.0081	ex 2009 80 80	---- Juice of other fruits or vegetables containing added sugar: ----- Other, excluding apricot juice and peach juice	17 %
16.0083	ex 2009 80 95	---- Juice of other fruits or vegetables not containing added sugar:	
	ex 2009 80 99	----- Other juice of fruits falling within codes 0801, 0803, 0804 (excluding fig juice), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10 or 0810 90 90	8 %
16.0085	ex 2009 80 99	---- Juice of other fruits or vegetables not containing added sugar: ----- Other, excluding apricot juice and peach juice	18 %
	ex 2009 90 51	- Mixture of juices: -- Of a density not exceeding 1,33 g/cm ³ at 20°C: --- Of a value exceeding 30 ECU per 100 kg net weight: ----- Other excluding mixtures containing, singly or in combination, more than 25 % of grape juice, citrus fruit juices, pineapple juice, apple juice, pear juice, tomato juice, apricot juice or peach juice	
16.0087		----- Containing added sugar	17 %
16.0089	ex 2009 90 59	----- Not containing added sugar	18 %
16.0091	2009 20 91	- Grapefruit juice: -- Of a density not exceeding 1,33 g/cm ³ at 20°C: --- Of a value not exceeding 30 ECU per 100 kg net weight and with an added sugar content exceeding 30 % by weight	7 % + AGR
16.0093	2009 20 99	---- Other	8 %
16.0095	2009 30	---- Juice of any other single citrus fruit:	
	ex 2009 30 91	----- With an added sugar content exceeding 30 % by weight	14 % + AGR
16.0097	2009 30 95	----- With an added sugar content not exceeding 30 % by weight	14 %
16.0099	2009 30 99	----- Not containing added sugar	15 %
16.0101	ex 2009 80 91	---- Juice of any other single fruit or vegetable with an added sugar content exceeding 30 % by weight: ----- Juice of fruits falling within codes 0801, 0803, 0804 (excluding fig juice), and 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10 or 0810 90 90	8 % + AGR
16.0103	ex 2009 80 91	----- Other, excluding apricot juice and peach juice	17 % + AGR

Order No	CN code	Description	Rate of duty
16.0105	ex 2009 80 93	---- With an added sugar content not exceeding 30 % by weight: ----- Juice of fruits falling within codes 0801, 0803, 0804 (excluding fig juice), and 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10 or 0810 90 90	8 %
16.0107	ex 2009 80 93	----- Other, excluding apricot juice and peach juice	17 %
16.0109	ex 2009 80 99	---- Juice of other fruit or vegetables not containing added sugar: ----- Juice of fruits falling within codes 0801, 0803, 0804 (excluding fig juice), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 10 or 0810 90 90	8 %
16.0111	ex 2009 80 99	----- Other, excluding apricot juice and peach juice	18 %
16.0113	ex 2009 90 91	---- Mixtures of juices: ----- Other, excluding mixtures containing, singly or in combination, more than 25 % of grape juice, citrus fruit juices, pineapple juice, apple juice, pear juice, tomato juice, apricot juice or peach juice: ----- With an added sugar content exceeding 30 % by weight:	17 % + AGR
16.0115	2009 90 93	----- With an added sugar content not exceeding 30 % by weight	17 %
16.0117	2009 90 99	----- Not containing added sugar	18 %
	2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No 3002); prepared baking powders: -- Active yeasts: -- Culture yeast:	
16.0119	2102 10 31	--- Dried	4 % + MOB
16.0121	2101 10 39	--- Other	4 % + MOB
		Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves:	
16.0123	2301 20 00	- Flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates	Free

Abbreviations:

AGR = levy.

MOB = variable component.

COUNCIL REGULATION (EEC) No 4168/87

of 21 December 1987

opening and providing for the administration of a Community tariff quota for dried grapes falling within subheadings 0806 20 11 or 0806 20 19 of the combined nomenclature and originating in Cyprus (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, as supplemented by the Protocol laying down the conditions and procedures for the implementation of the second stage of the said Agreement and adapting certain provisions thereof ⁽¹⁾, provides for the opening of an annual duty-free Community tariff quota of 1 500 tonnes for dried grapes falling within subheading 0806 20 11 and 0806 20 19 of the combined nomenclature and originating in Cyprus; whereas pursuant to Article 18 of the Protocol in question, this volume is subject to an annual increase of 5 % from the entry into force of the Protocol, and will therefore be 1 575 tonnes in 1988; whereas, within the limits of the tariff quota, the Kingdom of Spain and the Portuguese Republic will apply customs duties calculated in accordance with the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent upon the accession of the Kingdom of Spain and the Portuguese Republic to the Community ⁽²⁾; whereas the Community tariff quota should therefore be opened for 1988;

Whereas from the date on which the said quota is opened, the nomenclature used in the Common Customs Tariff will be replaced by the combined nomenclature based on the International Convention on the

Harmonized Commodity Description and Coding system; whereas this Regulation must take account of that fact by indicating the combined nomenclature codes within which the said products fall;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rates laid down for the quota should be applied consistently to all Member States until the quota is exhausted; whereas, however, the quota should not in this case be allocated among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, under conditions and according to the procedure laid down in Article 1 (2); whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quota is used and inform the Member States accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1988 the customs duty applicable to imports into the Community of the following products shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

Order No	CN code	Description	Amount of quota (tonnes)	Quota duty (%)
09.1413	0806 20 11 0806 20 19 ex 0806 20 91 ex 0806 20 99	Grapes, fresh or dried: — Dried: — In immediate containers of a net capacity not exceeding 2 kg: --- Currants --- Other -- Other: --- Currants in immediate containers of a net capacity not exceeding 15 kg, originating in Cyprus --- Other in immediate containers of a net capacity not exceeding 15 kg, originating in Cyprus	1 575	Free

⁽¹⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽²⁾ OJ No L 393, 31. 12. 1987, p. 37.

Within the limits of this tariff quota the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community.

2. If an importer gives notification of imminent imports of the product in question into a Member State and applies to take advantage of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements to the extent that the available balance of the reserve so permits.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) enable imports to be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the product concerned have free access to the quota for such time as the residual balance of the quota volume so permits.

3. Member States shall charge imports of the said goods against their drawings as and when the goods are entered with the customs authorities for free circulation.

4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

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

Article 4

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

Article 5

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 21 December 1987.

For the Council

The President

B. HAARDER

COUNCIL REGULATION (EEC) No 4169/87

of 21 December 1987

opening and providing for the administration of a Community tariff quota for sweet peppers falling within subheading 0709 60 10 of the combined nomenclature and originating in Cyprus (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, as supplemented by the Protocol laying down the conditions and procedures for the implementation of the second stage of the said Agreement and adapting certain provisions thereof⁽¹⁾, provides for the opening of a Community tariff quota of 300 tonnes for sweet peppers falling within subheading 0709 60 10 of the combined nomenclature and originating in Cyprus; whereas, pursuant to Article 18 of the Protocol in question, this volume is subject to an annual increase of 5 % from the entry into force of the Protocol, and will therefore be 315 tonnes in 1988; whereas, within the limit of the tariff quota, the customs duty applicable is to be abolished progressively according to the timetable and under the conditions as laid down in Articles 5 and 16 of the said Protocol;

Whereas, however, the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽²⁾ lays down that those Member States will postpone implementation of the preferential arrangements for the products in question until 31 December 1989 and 31 December 1990 respectively; whereas, consequently, the above tariff quota applies only to the Community as constituted on 31 December 1985; whereas the Community tariff quota should therefore be opened for 1988;

Whereas from the date on which the said quota is opened, the nomenclature used in the Common Customs Tariff will be replaced by the combined nomenclature based on the International Convention on the Harmonized Commodity Description and Coding System; whereas this Regulation must take account of that fact by indicating the combined nomenclature codes within which the said products fall;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rates laid down for the quota should be applied consistently to all the Member States until the quota is exhausted; whereas, however, the quota should not in this case be allocated among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, under the conditions and according to the procedure laid down in Article 1 (2); whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quota is used and inform the Member States accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1988 the customs duty applicable to imports into the Community as constituted on 31 December 1985 of the following products shall be suspended at the levels indicated and within the limits of a Community tariff quota as shown below:

Order No	CN code	Description	Volume of quota (tonnes)	Quota duty (%)
09.1409	0709 60 10	Sweet peppers, originating in Cyprus	315	4,5 from 1 January to 29 February 4 from 1 March to 31 December

⁽¹⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽²⁾ OJ No L 393, 31. 12. 1987, p. 37.

2. If an importer gives notification of imminent imports of the product in question into a Member State and applies to take advantage of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements to the extent that the available balance of the reserve so permits.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) enable imports to be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the product concerned have free access to the quota for such time as the residual balance of the quota volume so permits.

3. Member States shall charge imports of the said goods against their drawings as and when the goods are entered with the customs authorities for free circulation.

4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

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

Article 4

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

Article 5

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 21 December 1987.

For the Council

The President

B. HAARDER

COUNCIL REGULATION (EEC) No 4170/87

of 21 December 1987

opening and providing for the administration of a Community tariff quota for salad beetroot falling within subheading ex 0706 90 90 of the combined nomenclature and originating in Cyprus (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an association between the European Economic Community and the Republic of Cyprus, as supplemented by the Protocol laying down the conditions and procedures for the implementation of the second stage of the said Agreement and adapting certain provisions thereof⁽¹⁾, provides for the opening of a Community tariff quota of 1 500 tonnes for salad beetroot falling within subheading ex 0706 90 90 of the combined nomenclature and originating in Cyprus; whereas, pursuant to Article 18 of the Protocol in question, this volume is subject to an annual increase of 5 % from the entry into force of the Protocol, and will therefore be 1 575 tonnes in 1988; whereas, within the limit of the tariff quota, the customs duty applicable is to be abolished progressively according to the same timetable and under the same conditions as laid down in Articles 5 and 16 of the said Protocol;

Whereas, however, the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽²⁾ lays down that those two Member States will postpone implementation of the preferential arrangements for the products in question until 31 December 1989 and 31 December 1990 respectively; whereas, consequently, the above tariff quota applies only to the Community as constituted on 31 December 1985;

Whereas the Community tariff quota should therefore be opened for 1988;

Whereas from the date on which the said quota is opened, the nomenclature used in the Common Customs Tariff will be replaced by the combined nomenclature based on the International Convention on the Harmonized Commodity Description and Coding System; whereas this Regulation must take account of that fact by indicating the combined nomenclature codes and Taric code numbers within which the said products fall;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rates laid down for the quota should be applied consistently to all imports of the product in question into all the Member States until the quota is exhausted; whereas, however, the quota should not in this case be allocated among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, under the conditions and according to the procedure laid down in Article 1 (2); whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quota is used and inform the Member States accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1988 the customs duty applicable to imports into the Community as constituted on 31 December 1985 of the following products shall be suspended at the levels indicated and within the limits of a Community tariff quota as shown below:

Order No	CN Code	Description	Volume of quota (tonnes)	Quota duty (%)
09.1411	ex 0706 90 90	Salad beetroot, originating in Cyprus	1 575	8,5 from 1 January to 29 February 7,7 from 1 March to 31 December

⁽¹⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽²⁾ OJ No L 393, 31. 12. 1987, p. 37.

2. If an importer gives notification of imminent imports of the product in question into a Member State and applies to take advantage of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements to the extent that the available balance of the reserve so permits.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) enable imports to be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the product concerned have free access to the quota for such time as the residual balance of the quota volume so permits.

3. Member States shall charge imports of the said goods against their drawings as and when the goods are entered with the customs authorities for free circulation.

4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

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

Article 4

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

Article 5

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 21 December 1987.

For the Council

The President

B. HAARDER

COUNCIL REGULATION (EEC) No 4171/87

of 21 December 1987

opening, allocating and providing for the administration of a Community tariff quota for wine of fresh grapes, falling within subheadings 2204 21 25, 2204 21 29, ex 2204 21 35 or ex 2204 21 39 of the combined nomenclature and originating in Cyprus (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, supplemented by the Protocol laying down the conditions and procedures for the implementation of the second stage of the Agreement and adapting certain provisions thereof⁽¹⁾, provides for the opening of an annual Community tariff quota of 35 000 hectolitres for certain wines of fresh grapes falling within subheadings 2204 21 25, 2204 21 29, ex 2204 21 35 or ex 2204 21 39 of the combined nomenclature, in containers holding 2 litres or less, and originating in Cyprus;

Whereas this volume is subject to an annual increase of 5 % from the entry into force of the Protocol, and will therefore, pursuant to Article 18 of the Protocol in question, be 36 750 hectolitres in 1988; whereas, within the limits of the tariff quota, customs duties are to be abolished progressively according to the same timetables and under the same conditions as laid down in Articles 5 and 16 of the said Protocol; whereas, however, the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽²⁾ stipulates that the Kingdom of Spain shall apply, from the date it enters into force, a duty reducing the gap between the rate of the basic duty and that of the preferential duty, while the Portuguese Republic shall defer application of the preferential arrangements for the products in question until the start of the second stage;

Whereas, therefore, this Community tariff quota should be opened for 1988;

Whereas from the date on which the said quota is opened, the nomenclature used in the Common Customs Tariff will be replaced by the combined nomenclature

based on the International Convention on the Harmonized Commodity Description and Coding System; whereas this Regulation must take account of that fact by indicating the combined nomenclature codes and, where appropriate, the Taric code numbers within which the said products fall;

Whereas the wine in question is subject to the free-at-frontier reference price; whereas, in order that such wine may qualify for this tariff quota, Article 54 of Regulation (EEC) No 822/87⁽³⁾, as last amended by Regulation (EEC) No 3992/87⁽⁴⁾, must be complied with;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rates laid down for the quota should be applied consistently to all imports of the products in question into all the Member States until the quota is exhausted; whereas, in the light of these principles, allocation of the tariff quota among the Member States would seem to preserve the Community nature of the quota; whereas in order to correspond as closely as possible to the real trend of the market for the product in question the allocation should reflect the requirements of the Member States based on statistics of imports of the said products from Cyprus during a representative reference period and on the economic outlook for the quota period in question;

Whereas, however, there are no Community or national statistics concerning the wine in question and no reliable forecast of imports can be made; whereas under these circumstances it seems appropriate to divide the volume into initial quota shares allowing for the capacity of the markets of the different Member States to absorb the wine in question;

Whereas, to allow for the trend of imports of the products concerned in the various Member States, the quota volume should be divided into two parts, the first being allocated among 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 afford importers in each Member State some degree of certainty, an appropriate level for the first part of the Community quota would, in the present circumstances, be 67 % of the quota volume;

⁽¹⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽²⁾ OJ No L 393, 31. 12. 1987, p. 37.

⁽³⁾ OJ No L 84, 16. 3. 1987, p. 1.

⁽⁴⁾ OJ No L 377, 31. 12. 1987, p. 20.

Whereas the initial shares of the Member States may be used up at different rates; whereas, in order to avoid any break in the continuity 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 corresponding 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 must be valid until the end of the quota period; whereas this form of administration requires close cooperation between the Member States and the Commission and the latter must be able to monitor the extent to which the quota volume has been used up and 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 the Member State concerned should return a significant proportion thereof

to the corresponding reserve in order to prevent part of the Community 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 concerning the administration of the quota shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1988 the customs duty applicable to imports into the Community, with the exception of Portugal, of the following products originating in Cyprus shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

Order No	CN code	Description	Volume of quota (hl)	Quota duty
09.1415	2204 21 25 2204 21 29	Wine of fresh grapes, including fortified wines; grape must other than that of heading No 2009: — Other wine, grape must with fermentation prevented or arrested by the addition of alcohol: — In containers holding 2 litres or less: — Other: — Of an actual alcoholic strength by volume not exceeding 13 % vol: — Other:	36 750	3,6 ECU/hl: from 1 January to 29 February
		— White — Other		3,2 ECU/hl: from 1 March to 31 December
		— Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol: — Other		4,2 ECU/hl: from 1 January to 29 February
	ex 2204 21 35	— White: — Other than liqueur wines of an actual alcoholic strength of 15 % vol		3,8 ECU/hl: from 1 March to 31 December
	ex 2204 21 39	— Other: — Other than liqueur wines of an actual alcoholic strength of 15 % vol		

2. The wine in question shall be subject to the free-at-frontier reference price. In order that such wines may qualify for this tariff quota, Article 54 of Regulation (EEC) No 822/87 must be complied with.

Article 2

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

2. An initial part of 24 620 hectolitres shall be allocated among the Member States; subject to Article 5,

the following quota shares shall be valid until 31 December 1988:

	(hectolitres)
Benelux	540
Denmark	1 470
Germany	1 710
Greece	70
Spain	70
France	70
Ireland	880
Italy	70
United Kingdom	19 740

3. The second part of the quota, amounting to 12 130 hectolitres, shall constitute the reserve.

Article 3

1. If a Member State has used 90 % or more of its initial share as specified in Article 2 (2), or of that share less any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission and to the extent that the reserve so permits, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next whole number.

2. If, after its initial quota share has been used up, a Member State has used 90 % or more of its second share as well, it shall forthwith, using the procedure provided for in paragraph 1 and to the extent that the reserve so permits, draw a third share equal to 7,5 % of the initial share, rounded up where necessary to the next whole number.

3. If, after its second share has been used up, a Member State has used 90 % or more of its third share, it shall, using the procedure provided for in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

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

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1988.

Article 5

By 1 October 1988 at the latest Member States must return to the reserve the unused portion of their initial share which, on 15 September 1988, is in excess of 20 % of the initial volume. They may return a greater portion if there is reason to believe that it might not be used.

By 1 October 1988 at the latest Member States must notify the Commission of the total quantities of the products concerned imported on or before 15 September

1988 and charged against the Community quota and of any portion of their initial share that they are returning to the reserve.

Article 6

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

It shall inform the Member States not later than 5 October 1988 of the state of the reserve following any return of quota shares pursuant to Article 5.

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

Article 7

1. Member States shall take all appropriate measures to ensure that additional drawings of shares pursuant to Article 3 enable imports to be charged without interruption against their accumulated shares of the Community tariff quota.

2. Member States shall ensure that importers of the products concerned have free access to the quota shares allocated to them.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 21 December 1987.

For the Council

The President

B. HAARDER

COUNCIL REGULATION (EEC) No 4172/87

of 21 December 1987

opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheadings ex 2204 21 35, ex 2204 21 39, ex 2204 29 35, ex 2204 29 39, ex 2204 21 49, ex 2204 29 49, ex 2204 21 59, ex 2204 29 59 of the combined nomenclature and originating in Cyprus (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, supplemented by the Protocol laying down the conditions and procedures for the implementation of the second stage of the Agreement and adapting certain provisions thereof⁽¹⁾, provides for the opening of an annual Community tariff quota of 150 000 hectolitres for certain liqueur wines falling within subheadings ex 2204 21 35, ex 2204 21 39, ex 2204 29 35, ex 2204 29 39, ex 2204 21 49, ex 2204 29 49, ex 2204 21 59 or ex 2204 29 59 of the combined nomenclature, originating in Cyprus;

Whereas this volume is subject to an annual increase of 5 % from the entry into force of the Protocol, and will therefore, pursuant to Article 18 of the Protocol in question, be 157 500 hectolitres in 1988; whereas, within the limits of the tariff quota, customs duties are to be abolished progressively according to the timetables and under the conditions as laid down in Articles 5 and 16 of the said Protocol; whereas, however, the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽²⁾ stipulates that the Kingdom of Spain shall apply, from the date it enters into force, a duty reducing the gap between the rate of the basic duty and that of the preferential duty, while the Portuguese Republic shall defer application of the preferential arrangements for the products in question until the start of the second stage;

Whereas, therefore, this Community tariff quota should be opened for 1988;

Whereas from the date on which the said quota is opened, the nomenclature used in the Common Customs Tariff will be replaced by the combined nomenclature

based on the International Convention on the Harmonized Commodity Description and Coding System; whereas this Regulation must take account of that fact by indicating the combined nomenclature codes and, where appropriate, the Taric code numbers within which the said products fall;

Whereas qualification for this tariff quota must be dependent on the wines being designated as liqueur wines in the VI 1 document or VI 2 extract provided for by Regulation (EEC) No 3590/85⁽³⁾;

Whereas the free-at-frontier reference price must be complied with for the wine in question; whereas, in order that such wine may qualify for this tariff quota, Article 18 of Regulation (EEC) No 822/87⁽⁴⁾, as last amended by Regulation (EEC) No 3992/87⁽⁵⁾, must be complied with;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rates laid down for the quota should be applied consistently to all imports of the products in question into all the Member States until the quota is exhausted; whereas, in the light of these principles, allocation of the tariff quota among the Member States would seem to preserve the Community nature of the quota; whereas in order to correspond as closely as possible to the real trend of the market for the product in question the allocation should reflect the requirements of the Member States based on statistics of imports of the said products from Cyprus during a representative reference period and on the economic outlook for the quota period in question;

Whereas, however, there are no Community or national statistics concerning the wine in question and no reliable forecast of imports can be made; whereas under these circumstances it seems appropriate to divide the volume into initial quota shares allowing for the capacity of the markets of the different Member States to absorb the wine in question;

Whereas, to allow for the trend of imports of the products concerned in the various Member States, the quota volume should be divided into two parts,

⁽¹⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽²⁾ OJ No L 393, 31. 12. 1987, p. 37.

⁽³⁾ OJ No L 343, 20. 12. 1985, p. 20.

⁽⁴⁾ OJ No L 84, 16. 3. 1987, p. 1.

⁽⁵⁾ OJ No L 377, 31. 12. 1987, p. 20.

the first being allocated among 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 afford importers in each Member State some degree of certainty, an appropriate level for the first part of the Community quota would, in the present circumstances, be 67 % of the quota volume;

Whereas the initial shares of the Member States may be used up at different rates; whereas, in order to avoid any break in the continuity 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 corresponding 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 must be valid until the end of the quota period; whereas this form of administration requires close cooperation between the Member States and the Commission and the latter must be able to monitor the extent to which the quota volume has been used up and 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 the Member State concerned should return a significant proportion thereof to the corresponding reserve in order to prevent part of the Community 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 concerning the administration of the quota shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1988 the customs duty applicable to imports into the Community, with the exception of Portugal, of the following products originating in Cyprus shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

Order No	CN code	Description	Volume of quota (hl)	Quota duty
09.1417		Wine of fresh grapes, including fortified wines; grape must other than that of heading No 2009:	157 500	
		— Other wine; grape must with fermentation prevented or arrested by the addition of alcohol:		
		— In containers holding 2 litres or less:		
		— Other:		
		— Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol:		
		— Other:		
	ex 2204 21 35	— White		
		— Liqueur wines of an actual alcoholic strength of 15 % vol		5 ECU/hl: from 1 January to 29 February
	ex 2204 21 39	— Other:		4,5 ECU/hl: from 1 March to 31 December
		— Liqueur wines of an actual alcoholic strength of 15 % vol		
		— Of an actual alcoholic strength by volume exceeding 15 % but not exceeding 18 % vol:		
	ex 2204 21 49	— Other:		6,1 ECU/hl: From 1 January to 29 February
		— Liqueur wines:		5,5 ECU/hl: From 1 March to 31 December
		— Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol:		
	ex 2204 21 59	— Other:		6,9 ECU/hl: From 1 January to 29 February
		— Liqueur wines		6,2 ECU/hl: From 1 March to 31 December

Order No	CN code	Description	Volume of quota (hl)	Quota duty
		-- Other:		
		---- Other:		
		----- Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol:		
		----- Other:		
	ex 2204 29 35	----- White		3,9 ECU/hl: From 1 January to 29 February
		- Liqueur wines of an actual alcoholic strength of 15 % vol		3,5 ECU/hl: From 1 March to 31 December
	ex 2204 29 39	----- Other:		
		- Liqueur wines of an actual alcoholic strength of 15 % vol		
		----- Of an actual alcoholic strength by volume exceeding 15 % vol but not exceeding 18 % vol		
	ex 2204 29 49	----- Other:		5 ECU/hl: From 1 January to 29 February
		- Liqueur wines		4,5 ECU/hl: From 1 March to 31 December
		----- Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol:		
	ex 2204 29 59	----- Other:		6,9 ECU/hl: From 1 January to 29 February
		- Liqueur wines		6,2 ECU/hl: From 1 March to 31 December

2. To qualify for this tariff quota, the wines must be designated as liqueur wines in the VI1 document or VI2 extract provided for by Regulation (EEC) No 3590/85.

3. The wine in question shall be subject to the free-at-frontier reference price. In order that such wine may qualify for this tariff quota, Article 54 of Regulation (EEC) No 822/87 must be adhered to.

Article 2

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

2. An initial part of 105 525 hectolitres shall be allocated among the Member States; subject to Article 5, the following quota shares shall be valid until 31 December 1988:

	(hectolitres)
Benelux	115
Denmark	60
Germany	1 890
Greece	20
Spain	20
France	20
Ireland	60
Italy	20
United Kingdom	103 320

3. The second part of the quota, amounting to 51 975 hectolitres, shall constitute the reserve.

Article 3

1. If a Member State has used 90 % or more of its initial share as specified in Article 2 (2), or of that share less any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission and to the extent that the reserve so permits, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next whole number.

2. If, after its initial quota share has been used up, a Member State has used 90 % or more of its second share as well, it shall forthwith, using the procedure provided for in paragraph 1 and to the extent that the reserve so permits, draw a third share equal to 7,5 % of the initial share, rounded up where necessary to the next whole number.

3. If, after its second share has been used up, a Member State has used 90 % or more of its third share, it shall, using the procedure provided for in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

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

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1988.

Article 5

By 1 October 1988 at the latest Member States must return to the reserve the unused portion of their initial share which, on 15 September 1988, is in excess of 20 % of the initial volume. They may return a greater portion if there is reason to believe that it might not be used.

By 1 October 1988 at the latest Member States must notify the Commission of the total quantities of the products concerned imported on or before 15 September 1988 and charged against the Community quota and of any portion of their initial share that they are returning to the reserve.

Article 6

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

It shall inform the Member States not later than 5 October 1988 of the state of the reserve following any return of quota shares pursuant to Article 5.

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

Article 7

1. Member States shall take all appropriate measures to ensure that additional drawings of shares pursuant to Article 3 enable imports to be charged without interruption against their accumulated shares of the Community tariff quota.

2. Member States shall ensure that importers of the products concerned have free access to the quota shares allocated to them.

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

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 21 December 1987.

For the Council

The President

B. HAARDER

COUNCIL REGULATION (EEC) No 4173/87

of 21 December 1987

opening and providing for the administration of a Community tariff quota for cut flowers and flower buds, fresh, falling within subheadings 0603 10 11 to 0603 10 69 of the combined nomenclature and originating in Cyprus (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Article 19 of the Protocol laying down the conditions and procedures for the implementation of the second stage of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus and adapting certain provisions thereof⁽¹⁾, stipulates that cut flowers and flower buds, fresh, falling within subheadings 0603 10 11 to 0603 10 69 of the combined nomenclature and originating in Cyprus shall be imported into the Community at Reduced Rates of duty within the limits of of an annual Community tariff quota of 50 tonnes; whereas, pursuant to Articles 18 and 19 of the Protocol in question, this volume is subject to an annual increase of 5 % from the entry into force of the said Protocol, and will therefore be 52,50 tonnes in 1988; whereas, within the limits of this tariff quota, customs duties are to be abolished progressively according to the same timetables and under the same conditions as laid down in Articles 5 and 16 of the said Protocol; whereas in the context of the said quota, the Kingdom of Spain and the Portuguese Republic will apply customs duties calculated in accordance with the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽²⁾;

Whereas roses with large or small flowers and carnations of the unifloral or multifloral type are covered by the quota only where they meet the conditions laid down by Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain floricultural products originating in Cyprus, Israel or Jordan⁽³⁾; whereas these tariff advantages apply only to imports for

which certain price conditions are complied with; whereas the Community tariff quota should therefore be opened for the period from 1 January to 31 October 1988 amounting by virtue of the *pro rata temporis* clause in the said Protocol to 43,75 tonnes for the period in question;

Whereas from the date on which the said quota is opened, the nomenclature used in the Common Customs Tariff will be replaced by the combined nomenclature based on the International Convention on the Harmonized Commodity Description and Coding System; whereas this Regulation must take account of that fact by indicating the combined nomenclature codes within which the said products fall;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rates laid down for the quota should be applied consistently to all imports of the product in question into all the Member States until the quota is exhausted; whereas, however, the quota should not in this case be allocated among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, under conditions and according to the procedure laid down in Article 1 (2); whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quota is used and inform the Member States accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 October 1988 the customs duty applicable to imports into the Community of the following products originating in Cyprus shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

⁽¹⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽²⁾ OJ No L 393, 31. 12. 1987, p. 37.

⁽³⁾ OJ No L 382, 31. 12. 1987, p. 22.

Order No	CN code	Description	Volume of quota (tonnes)	Quota duty (%)
09.1419	0603 10 51 0603 10 53 0603 10 55 0603 10 61 0603 10 65 0603 10 69 0603 10 11 0603 10 13 0603 10 15 0603 10 21 0603 10 25 0603 10 29	Cut flowers and flowers buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared: – Fresh: – From 1 November to 31 May – From 1 June to 31 October, originating in Cyprus	43,75	17: from 1 January to 29 February 15,4: from 1 March to 31 May 21,8: from 1 June to 31 October

Within the limits of this tariff quota, Spain and Portugal shall apply customs duties calculated in accordance with the relevant provisions of the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of Spain and Portugal.

2. Cover by the tariff quota referred to in Article 1 (1) may be interrupted in the case of roses with large or small flowers and carnations of the unifloral or multifloral type if it is established at Community level that the price conditions laid down by Regulation (EEC) No 4088/87 are not complied with.

In such cases, the Commission shall adopt Regulations re-establishing the collection of Common Customs Tariff duties in respect of the products in question and, where appropriate, reintroducing this Regulation on the dates and for the products indicated in those Regulations.

3. If an importer gives notification of imminent imports of the product in question into a Member State and applies to take advantage of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements to the extent that the available balance of the reserve so permits.

4. The shares drawn pursuant to paragraph 3 shall be valid until the end of the quota period.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (3) enable imports to be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the product concerned have free access to the quota for such time as the residual balance of the quota volume so permits.

3. Member States shall charge imports of the said goods against their drawings as and when the goods are entered with the customs authorities for free circulation.

4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

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

Article 4

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

Article 5

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 21 December 1987.

For the Council

The President

B. HAARDER