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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 517/92

of 27 February 1992

amending the autonomous import arrangements for products originating in Hungary, Poland and the Czech and Slovak Federal Republic (CSFR)

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 Council Regulation (EEC) No 3420/83 of 14 November 1983 on import arrangements for products originating in State-trading countries, not liberalized at Community level ⁽¹⁾, applies *inter alia*, to imports originating in Hungary, Poland and the CSFR;

Whereas Council Regulation (EEC) No 1765/82 of 30 June 1982 on common rules for imports from State-trading countries ⁽²⁾ provides that products mentioned in the Annex to that Regulation are not subject to quantitative restrictions;

Whereas Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports ⁽³⁾ defines the rules for imports originating from countries other than those listed in Regulations (EEC) No 1765/82 and (EEC) No 3420/83;

Whereas the Community has signed Europe agreements aimed at establishing an association with Hungary, Poland

and the CSFR, which have embarked on a large-scale programme of economic reform aimed at ensuring their transition towards a market economy;

Whereas, pending the entry into force of association agreements, interim agreements have been signed including, in particular, the trade provisions of the association agreements;

Whereas provision should be made therefore that these countries are removed from the scope of Regulations (EEC) No 3420/83 and (EEC) No 1765/82 with effect from the entry into force of the said interim agreements and fall within the scope of Regulation (EEC) No 288/82,

HAS ADOPTED THIS REGULATION:

Article 1

Hungary, Poland and the CSFR shall be removed from the list of countries in Annex I to Regulation (EEC) No 3420/83 and the Annex to Regulation (EEC) No 1765/82 with effect from the date of entry into force of the interim trade agreements and trade-related matters concluded respectively between those countries and the Community.

Article 2

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

⁽¹⁾ OJ No L 346, 8. 12. 1983, p. 6. Regulation as last amended by Regulation (EEC) No 3859/91 (OJ No L 362, 31. 12. 1991, p. 83).

⁽²⁾ OJ No L 195, 5. 7. 1982, p. 1. Regulation as last amended by Regulation (EEC) No 1434/90 (OJ No L 138, 31. 5. 1990, p. 1).

⁽³⁾ OJ No L 35, 9. 2. 1982, p. 1. Regulation as last amended by Regulation (EEC) No 3859/91 (OJ No L 362, 31. 12. 1991, p. 83).

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

Done at Brussels, 27 February 1992.

For the Council

The President

Vitor MARTINS

COUNCIL REGULATION (EEC) No 518/92**of 27 February 1992****on certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, of the other part**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas an Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland of the other part (hereinafter referred to as 'the Agreement') was signed in Brussels on 16 December 1991;

Whereas it is necessary to lay down the procedures for applying certain provisions of the Agreement;

Whereas, with regard to trade protection measures, it is appropriate, where the provisions of the Agreement render it necessary, to lay down specific provisions concerning the general rules provided for in particular in Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾ and in Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽²⁾;

Whereas account should be taken of the undertakings set out in the Agreement when examining whether a safeguard measure should be introduced;

Whereas the procedures concerning safeguard clauses provided for in the Treaty are also applicable;

Whereas specific provisions have been adopted for safeguard measures concerning the textile products covered by Protocol 1 of the Agreement;

Whereas certain special procedures should be introduced for the application of safeguard measures in the agricultural sectors,

HAS ADOPTED THIS REGULATION:

TITLE I**Agricultural products***Article 1*

Provisions for the application of Article 14 (2) and (4) of the Agreement concerning agricultural products falling

within Annex II of the Treaty and subject in the framework of the common market organization to a regime of levies and concerning products falling within CN codes 0711 90 50 and 2003 10 10 shall be adopted in accordance with the procedure provided for in Article 26 of Regulation (EEC) No 2727/75⁽³⁾ or in the corresponding provisions of other regulations establishing a common organization of the agricultural markets. These provisions may provide for the introduction of a system of import certificates in those sectors in which such certificates are not provided for by the common organization of agricultural markets.

TITLE II**Protective measures***Article 2*

The Council may, in accordance with the procedures provided for in Article 113 of the Treaty, decide to refer to the Joint Committee established by the Agreement with regard to the measures provided for in Articles 22 and 44 (2) of the Agreement. Where necessary, the Council shall adopt these measures in accordance with the same procedure.

The Commission may, on its own initiative or at the request of a Member State, present the necessary proposals to this end.

Article 3

1. In the case of a practice that may justify application by the Community of the measures provided for in Article 33 of the Agreement, the Commission, after examining the case, on its own initiative or at the request of a Member State, shall decide whether such practice is compatible with the Agreement. Where necessary, it shall propose the adoption of safeguard measures to the Council, which shall act in accordance with the procedure laid down in Article 113 of the Treaty, except in the cases of aid to which Regulation (EEC) No 2423/88 applies, when measures shall be taken according to the procedures laid down in that Regulation. Measures shall be taken only under the conditions set out in Article 32 (6) of the Agreement.

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1. Regulation last amended by Regulation (EEC) No 2978/91 (OJ No L 284, 12. 10. 1991, p. 1).
⁽²⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽³⁾ Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (OJ No L 281, 1. 11. 1975, p. 1). Regulation last amended by Regulation (EEC) No 3653/90 (OJ No L 362, 27. 12. 1990, p. 28).

2. In the case of a practice that may cause measures to be applied to the Community by Poland on the basis of Article 33 of the Agreement, the Commission, after examining the case, shall decide whether the practice is compatible with the principles set out in the Agreement. Where necessary, it shall take appropriate decisions on the basis of the criteria which result from the application of Articles 85, 86 and 92 of the Treaty.

Article 4

In the case of a practice which is liable to warrant the application, by the Community, of the measures provided for in Article 23 of the Agreement, the introduction of anti-dumping measures shall be decided upon in accordance with the provisions laid down in Regulation (EEC) No 2423/88 and the procedure provided for in Article 27 (2) and (3) (b) or (d) of the Agreement.

Article 5

1. Where a Member State requests the Commission to apply safeguard measures as provided for in Articles 24 or 25 of the Agreement, it shall provide the Commission, in support of its request, with the information needed to justify it.

If the Commission decides not to apply safeguard measures, it shall inform the Council and the Member States accordingly within five working days of receipt of the request from the Member State.

Any Member State may refer this decision of the Commission to the Council within ten working days of its notification.

If the Council, acting by a qualified majority, indicates its intention to adopt a different decision, the Commission shall inform Poland thereof forthwith and shall notify it of the opening of consultations within the Joint Committee as provided for in Article 27 (2) and (3) of the Agreement.

The Council, acting by a qualified majority, may take a different decision within twenty working days of the conclusion of the consultations with Poland within the Joint Committee.

2. The Commission shall be assisted by a committee (hereinafter referred to as the 'Committee') composed of representatives of the Member States and chaired by a representative of the Commission.

The Committee shall meet when convened by its chairman. The latter shall communicate any appropriate information to the Member States at the earliest opportunity.

3. Where the Commission, on its own initiative or at the request of a Member State, decides that the safeguard measures provided for in Articles 24 or 25 of the Agreement should be applied:

- it shall inform the Member States forthwith if acting on its own initiative or, if it is responding to a Member State's request, within five working days of the date of receipt of that request,

- it shall consult the Committee,

- at the same time it shall inform Poland and notify the Joint Committee of the opening of consultations as referred to in Article 27 (2) and (3) of the Agreement,

- at the same time it shall provide the Joint Committee with all the information necessary for these consultations.

4. In any event, the consultations within the Joint Committee shall be deemed to be completed thirty days after the notification referred to in the fourth subparagraph of paragraph 1 and in paragraph 3.

At the end of the consultations or on expiry of the period of thirty days, and if no other arrangement proves possible, the Commission, after consulting the Committee, may take appropriate measures to implement Articles 24 and 25 of the Agreement.

5. The decision referred to in paragraph 4 shall be notified forthwith to the Council, the Member States and Poland; it shall also be notified to the Joint Committee.

The decision shall be immediately applicable.

6. Any Member State may refer the Commission decision referred to in paragraph 4 to the Council within ten working days of receiving notification of the decision.

7. If the Commission has not taken a decision within the meaning of the second subparagraph of paragraph 4 within ten working days of the end of the consultations with the Joint Committee or, as the case may be, the end of the period of thirty days referred to in that paragraph, any Member State which has referred the matter to the Commission in accordance with paragraph 3 may refer it to the Council.

8. In the cases referred to in paragraphs 6 and 7 the Council, acting by a qualified majority, may adopt a different decision within two months.

Article 6

1. Where exceptional circumstances arise within the meaning of Article 27 (3) (d) of the Agreement, the Commission may take immediate safeguard measures in the cases referred to in Articles 24 and 25 of the Agreement.

2. If the Commission receives a request from a Member State, it shall take a decision thereon within five working days of receipt of the request.

The Commission shall notify the Council and the Member States of its decision.

3. Any Member State may refer the Commission's decision to the Council in accordance with the procedure provided for in Article 5 (6).

The procedure set out in Article 5 (7) and (8) shall be applicable.

If the Commission has not taken a decision within the time limit mentioned in paragraph 2, any Member State which has referred the matter to the Commission may refer it to the Council in accordance with the procedures laid down in the first and second subparagraphs of this paragraph.

Article 7

The procedures laid down in Articles 5 and 6 shall not apply to products covered by Protocol 1 of the Agreement.

Article 8

By way of derogation from Articles 5 and 6, if the circumstances demand that measures are taken concerning agricultural products on the basis of Articles 15 or 24 of the

Agreement or on the basis of provisions in the Annexes covering these products, such measures shall be taken according to procedures provided for by the rules establishing a common organization of the agricultural markets, or in specific provisions adopted under Article 235 of the Treaty and applicable to products resulting from the processing of agricultural products, provided that the conditions established under Article 15 or Article 27 (2) and (3) of the Agreement are met.

Article 9

Notification to the Joint Committee as required by the Agreement shall be the responsibility of the Commission, acting on behalf of the Community.

Article 10

This Regulation does not preclude the application of safeguard measures provided for in the Treaty, in particular in Articles 108 and 109, according to the procedures laid down therein.

Article 11

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

It shall apply from 1 March 1992 or from the date of entry into force of the Interim Agreement, whichever is the later (¹).

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

Done at Brussels, 27 February 1992.

For the Council

The President

Vitor MARTINS

(¹) The date of entry into force of the Interim Agreement is 1 March 1992.

COUNCIL REGULATION (EEC) No 519/92

of 27 February 1992

on certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Hungary, of the other part

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas an Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Hungary of the other part (hereinafter referred to as 'the Agreement') was signed in Brussels on 16 December 1991;

Whereas it is necessary to lay down the procedures for applying certain provisions of the Agreement;

Whereas, with regard to trade protection measures, it is appropriate, where the provisions of the Agreement render it necessary, to lay down specific provisions concerning the general rules provided for in particular in Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾ and in Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽²⁾;

Whereas account should be taken of the undertakings set out in the Agreement when examining whether a safeguard measure should be introduced;

Whereas the procedures concerning safeguard clauses provided for in the Treaty are also applicable;

Whereas specific provisions have been adopted for safeguard measures concerning the textile products covered by Protocol 1 of the Agreement;

Whereas certain special procedures should be introduced for the application of safeguard measures in the agricultural sectors,

HAS ADOPTED THIS REGULATION:

TITLE I**Agricultural products***Article 1*

Provisions for the application of Article 14 (2) and (4) of the Agreement concerning agricultural products falling

within Annex II of the Treaty and subject in the framework of the common market organization to a regime of levies and concerning products falling within CN codes 0711 90 50 and 2003 10 10 shall be adopted in accordance with the procedure provided for in Article 26 of Regulation (EEC) No 2727/75⁽³⁾ or in the corresponding provisions of other regulations establishing a common organization of the agricultural markets. These provisions may provide for the introduction of a system of import certificates in those sectors in which such certificates are not provided for by the common organization of agricultural markets.

TITLE II**Protective measures***Article 2*

The Council may, in accordance with the procedures provided for in Article 113 of the Treaty, decide to refer to the Joint Committee established by the Agreement with regard to the measures provided for in Articles 22 and 43 (2) of the Agreement. Where necessary, the Council shall adopt these measures in accordance with the same procedure.

The Commission may, on its own initiative or at the request of a Member State, present the necessary proposals to this end.

Article 3

1. In the case of a practice that may justify application by the Community of the measures provided for in Article 32 of the Agreement, the Commission, after examining the case, on its own initiative or at the request of a Member State, shall decide whether such practice is compatible with the Agreement. Where necessary, it shall propose the adoption of safeguard measures to the Council, which shall act in accordance with the procedure laid down in Article 113 of the Treaty, except in the cases of aid to which Regulation (EEC) No 2423/88 applies, when measures shall be taken according to the procedures laid down in that Regulation. Measures shall be taken only under the conditions set out in Article 32 (6) of the Agreement.

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1. Regulation last amended by Regulation (EEC) No 2978/91 (OJ No L 284, 12. 10. 1991, p. 1).

⁽²⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽³⁾ Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (OJ No L 281, 1. 11. 1975, p. 1). Regulation last amended by Regulation (EEC) No 3653/90 (OJ No L 362, 27. 12. 1990, p. 28).

2. In the case of a practice that may cause measures to be applied to the Community by Hungary on the basis of Article 32 of the Agreement, the Commission, after examining the case, shall decide whether the practice is compatible with the principles set out in the Agreement. Where necessary, it shall take appropriate decisions on the basis of the criteria which result from the application of Articles 85, 86 and 92 of the Treaty.

Article 4

In the case of a practice which is liable to warrant the application, by the Community, of the measures provided for in Article 23 of the Agreement, the introduction of anti-dumping measures shall be decided upon in accordance with the provisions laid down in Regulation (EEC) No 2423/88 and the procedure provided for in Article 27 (2) and (3) (b) or (d) of the Agreement.

Article 5

1. Where a Member State requests the Commission to apply safeguard measures as provided for in Articles 24 or 25 of the Agreement, it shall provide the Commission, in support of its request, with the information needed to justify it.

If the Commission decides not to apply safeguard measures, it shall inform the Council and the Member States accordingly within five working days of receipt of the request from the Member State.

Any Member State may refer this decision of the Commission to the Council within ten working days of its notification.

If the Council, acting by a qualified majority, indicates its intention to adopt a different decision, the Commission shall inform Hungary thereof forthwith and shall notify it of the opening of consultations within the Joint Committee as provided for in Article 27 (2) and (3) of the Agreement.

The Council, acting by a qualified majority, may take a different decision within twenty working days of the conclusion of the consultations with Hungary within the Joint Committee.

2. The Commission shall be assisted by a committee (hereinafter referred to as the 'Committee') composed of representatives of the Member States and chaired by a representative of the Commission.

The Committee shall meet when convened by its chairman. The latter shall communicate any appropriate information to the Member States at the earliest opportunity.

3. Where the Commission, on its own initiative or at the request of a Member State, decides that the safeguard

measures provided for in Articles 24 or 25 of the Agreement should be applied:

- it shall inform the Member States forthwith if acting on its own initiative or, if it is responding to a Member State's request, within five working days of the date of receipt of that request,
- it shall consult the Committee,
- at the same time it shall inform Hungary and notify the Joint Committee of the opening of consultations as referred to in Article 27 (2) and (3) of the Agreement,
- at the same time it shall provide the Joint Committee with all the information necessary for these consultations.

4. In any event, the consultations within the Joint Committee shall be deemed to be completed thirty days after the notification referred to in the fourth subparagraph of paragraph 1 and in paragraph 3.

At the end of the consultations or on expiry of the period of thirty days, and if no other arrangement proves possible, the Commission, after consulting the Committee, may take appropriate measures to implement Articles 24 and 25 of the Agreement.

5. The decision referred to in paragraph 4 shall be notified forthwith to the Council, the Member States and Hungary; it shall also be notified to the Joint Committee.

The decision shall be immediately applicable.

6. Any Member State may refer the Commission decision referred to in paragraph 4 to the Council within ten working days of receiving notification of the decision.

7. If the Commission has not taken a decision within the meaning of the second subparagraph of paragraph 4 within ten working days of the end of the consultations with the Joint Committee or, as the case may be, the end of the period of thirty days referred to in that paragraph, any Member State which has referred the matter to the Commission in accordance with paragraph 3 may refer it to the Council.

8. In the cases referred to in paragraphs 6 and 7 the Council, acting by a qualified majority, may adopt a different decision within two months.

Article 6

1. Where exceptional circumstances arise within the meaning of Article 27 (3) (d) of the Agreement, the Commission may take immediate safeguard measures in the cases referred to in Articles 24 and 25 of the Agreement.

2. If the Commission receives a request from a Member State, it shall take a decision thereon within five working days of receipt of the request.

The Commission shall notify the Council and the Member States of its decision.

3. Any Member State may refer the Commission's decision to the Council in accordance with the procedure provided for in Article 5 (6).

The procedure set out in Article 5 (7) and (8) shall be applicable.

If the Commission has not taken a decision within the time limit mentioned in paragraph 2, any Member State which has referred the matter to the Commission may refer it to the Council in accordance with the procedures laid down in the first and second subparagraphs of this paragraph.

Article 7

The procedures laid down in Articles 5 and 6 shall not apply to products covered by Protocol 1 of the Agreement.

Article 8

By way of derogation from Articles 5 and 6, if the circumstances demand that measures are taken concerning agricultural products on the basis of Articles 15 or 24 of the

Agreement or on the basis of provisions in the Annexes covering these products, such measures shall be taken according to procedures provided for by the rules establishing a common organization of the agricultural markets, or in specific provisions adopted under Article 235 of the Treaty and applicable to products resulting from the processing of agricultural products, provided that the conditions established under Article 15 or Article 27 (2) and (3) of the Agreement are met.

Article 9

Notification to the Joint Committee as required by the Agreement shall be the responsibility of the Commission, acting on behalf of the Community.

Article 10

This Regulation does not preclude the application of safeguard measures provided for in the Treaty, in particular in Articles 108 and 109, according to the procedures laid down therein.

Article 11

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

It shall apply from 1 March 1992 or from the date of entry into force of the Interim Agreement, whichever is the later⁽¹⁾.

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

Done at Brussels, 27 February 1992.

For the Council

The President

Vitor MARTINS

⁽¹⁾ The date of entry into force of the Interim Agreement is 1 March 1992.

COUNCIL REGULATION (EEC) No 520/92

of 27 February 1992

on certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas an Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic (CSFR), of the other part (hereinafter referred to as 'the Agreement') was signed in Brussels on 16 December 1991;

Whereas it is necessary to lay down the procedures for applying certain provisions of the Agreement;

Whereas, with regard to trade protection measures, it is appropriate, where the provisions of the Agreement render it necessary, to lay down specific provisions concerning the general rules provided for in particular in Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾ and in Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽²⁾;

Whereas account should be taken of the undertakings set out in the Agreement when examining whether a safeguard measure should be introduced;

Whereas the procedures concerning safeguard clauses provided for in the Treaty are also applicable;

Whereas specific provisions have been adopted for safeguard measures concerning the textile products covered by Protocol 1 of the Agreement;

Whereas certain special procedures should be introduced for the application of safeguard measures in the agricultural sectors,

HAS ADOPTED THIS REGULATION:

TITLE I

Agricultural products

Article 1

Provisions for the application of Article 14 (2) and (4) of the Agreement concerning agricultural products falling

within Annex II of the Treaty and subject in the framework of the common market organization to a regime of levies and concerning products falling within CN codes 0711 90 50 and 2003 10 10 shall be adopted in accordance with the procedure provided for in Article 26 of Regulation (EEC) No 2727/75⁽³⁾ or in the corresponding provisions of other regulations establishing a common organization of the agricultural markets. These provisions may provide for the introduction of a system of import certificates in those sectors in which such certificates are not provided for by the common organization of agricultural markets.

TITLE II

Protective measures

Article 2

The Council may, in accordance with the procedures provided for in Article 113 of the Treaty, decide to refer to the Joint Committee established by the Agreement with regard to the measures provided for in Articles 22 and 44 (2) of the Agreement. Where necessary, the Council shall adopt these measures in accordance with the same procedure.

The Commission may, on its own initiative or at the request of a Member State, present the necessary proposals to this end.

Article 3

1. In the case of a practice that may justify application by the Community of the measures provided for in Article 33 of the Agreement, the Commission, after examining the case, on its own initiative or at the request of a Member State, shall decide whether such practice is compatible with the Agreement. Where necessary, it shall propose the adoption of safeguard measures to the Council, which shall act in accordance with the procedure laid down in Article 113 of the Treaty, except in the cases of aid to which Regulation (EEC) No 2423/88 applies, when measures shall be taken according to the procedures laid down in that Regulation. Measures shall be taken only under the conditions set out in Article 32 (6) of the Agreement.

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1. Regulation last amended by Regulation (EEC) No 2978/91 (OJ No L 284, 12. 10. 1991, p. 1).

⁽²⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽³⁾ Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (OJ No L 281, 1. 11. 1975, p. 1). Regulation last amended by Regulation (EEC) No 3653/90 (OJ No L 362, 27. 12. 1990, p. 28).

2. In the case of a practice that may cause measures to be applied to the Community by the CSFR on the basis of Article 33 of the Agreement, the Commission, after examining the case, shall decide whether the practice is compatible with the principles set out in the Agreement. Where necessary, it shall take appropriate decisions on the basis of the criteria which result from the application of Articles 85, 86 and 92 of the Treaty.

Article 4

In the case of a practice which is liable to warrant the application, by the Community, of the measures provided for in Article 23 of the Agreement, the introduction of anti-dumping measures shall be decided upon in accordance with the provisions laid down in Regulation (EEC) No 2423/88 and the procedure provided for in Article 27 (2) and (3) (b) or (d) of the Agreement.

Article 5

1. Where a Member State requests the Commission to apply safeguard measures as provided for in Articles 24 or 25 of the Agreement, it shall provide the Commission, in support of its request, with the information needed to justify it.

If the Commission decides not to apply safeguard measures, it shall inform the Council and the Member States accordingly within five working days of receipt of the request from the Member State.

Any Member State may refer this decision of the Commission to the Council within ten working days of its notification.

If the Council, acting by a qualified majority, indicates its intention to adopt a different decision, the Commission shall inform the CSFR thereof forthwith and shall notify it of the opening of consultations within the Joint Committee as provided for in Article 27 (2) and (3) of the Agreement.

The Council, acting by a qualified majority, may take a different decision within twenty working days of the conclusion of the consultations with the CSFR within the Joint Committee.

2. The Commission shall be assisted by a committee (hereinafter referred to as the 'Committee') composed of representatives of the Member States and chaired by a representative of the Commission.

The Committee shall meet when convened by its chairman. The latter shall communicate any appropriate information to the Member States at the earliest opportunity.

3. Where the Commission, on its own initiative or at the request of a Member State, decides that the safeguard measures provided for in Articles 24 or 25 of the Agreement should be applied:

- it shall inform the Member States forthwith if acting on its own initiative or, if it is responding to a Member State's request, within five working days of the date of receipt of that request,
- it shall consult the Committee,
- at the same time it shall inform the CSFR and notify the Joint Committee of the opening of consultations as referred to in Article 27 (2) and (3) of the Agreement,
- at the same time it shall provide the Joint Committee with all the information necessary for these consultations.

4. In any event, the consultations within the Joint Committee shall be deemed to be completed thirty days after the notification referred to in the fourth subparagraph of paragraph 1 and in paragraph 3.

At the end of the consultations or on expiry of the period of thirty days, and if no other arrangement proves possible, the Commission, after consulting the Committee, may take appropriate measures to implement Articles 24 and 25 of the Agreement.

5. The decision referred to in paragraph 4 shall be notified forthwith to the Council, the Member States and the CSFR; it shall also be notified to the Joint Committee.

The decision shall be immediately applicable.

6. Any Member State may refer the Commission decision referred to in paragraph 4 to the Council within ten working days of receiving notification of the decision.

7. If the Commission has not taken a decision within the meaning of the second subparagraph of paragraph 4 within ten working days of the end of the consultations with the Joint Committee or, as the case may be, the end of the period of thirty days referred to in that paragraph, any Member State which has referred the matter to the Commission in accordance with paragraph 3 may refer it to the Council.

8. In the cases referred to in paragraphs 6 and 7 the Council, acting by a qualified majority, may adopt a different decision within two months.

Article 6

1. Where exceptional circumstances arise within the meaning of Article 27 (3) (d) of the Agreement, the Commission may take immediate safeguard measures in the cases referred to in Articles 24 and 25 of the Agreement.

2. If the Commission receives a request from a Member State, it shall take a decision thereon within five working days of receipt of the request.

The Commission shall notify the Council and the Member States of its decision.

3. Any Member State may refer the Commission's decision to the Council in accordance with the procedure provided for in Article 5 (6).

The procedure set out in Article 5 (7) and (8) shall be applicable.

If the Commission has not taken a decision within the time limit mentioned in paragraph 2, any Member State which has referred the matter to the Commission may refer it to the Council in accordance with the procedures laid down in the first and second subparagraphs of this paragraph.

Article 7

The procedures laid down in Articles 5 and 6 shall not apply to products covered by Protocol 1 of the Agreement.

Article 8

By way of derogation from Articles 5 and 6, if the circumstances demand that measures are taken concerning agricultural products on the basis of Articles 15 or 24 of the

Agreement or on the basis of provisions in the Annexes covering these products, such measures shall be taken according to procedures provided for by the rules establishing a common organization of the agricultural markets, or in specific provisions adopted under Article 235 of the Treaty and applicable to products resulting from the processing of agricultural products, provided that the conditions established under Article 15 or Article 27 (2) and (3) of the Agreement are met.

Article 9

Notification to the Joint Committee as required by the Agreement shall be the responsibility of the Commission, acting on behalf of the Community.

Article 10

This Regulation does not preclude the application of safeguard measures provided for in the Treaty, in particular in Articles 108 and 109, according to the procedures laid down therein.

Article 11

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

It shall apply from 1 March 1992 or from the date of entry into force of the Interim Agreement, whichever is the later (¹).

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

Done at Brussels, 27 February 1992.

For the Council

The President

Vitor MARTINS

(¹) The date of entry into force of the Interim Agreement is 1 March 1992.

COUNCIL REGULATION (EEC) No 521/92

of 27 February 1992

opening and providing for the administration of Community tariff quotas and ceilings for certain agricultural and industrial products originating in Hungary, Poland and the Czech and Slovak Federal Republic (CSFR) (1992)

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 association agreements between the European Economic Community and the Republic of Hungary, the Republic of Poland and the Czech and Slovak Federal Republic (CSFR) respectively were signed on 16 December 1991; whereas pending the entry into force of those agreements the Community has concluded interim agreements on trade and trade-related measures with those countries;

Whereas the interim agreements stipulate, *inter alia*, that certain products originating in the countries in question may attract a reduced or zero rate of duty on import into the Community, within the limits of tariff quotas or ceilings; whereas pursuant to the provisions annexed to those agreements, the volumes of the tariff quotas and ceilings established when the association agreements were signed must be increased from the date on which the interim agreements enter into force by a percentage specific to each country and category of products; whereas in accordance with Protocol 7 attached to each of those agreements, provision must furthermore be made for deduction of any quantities which have already benefited from generalized preferences between 1 January 1992 and the entry into force of those agreements and for pro rata adjustments to the quantities of the agricultural products listed in Annex II to this Regulation;

Whereas the quantities in question will be known only on the day preceding the entry into force of the interim agreements; whereas the Commission should be made responsible for informing the Member States and economic operators as rapidly as possible of the quantities actually available under the tariff measures described in this Regulation by means of publication in the 'C' series of the *Official Journal of the European Communities*;

Whereas it seems advisable in the interests of clarity to divide the products into two groups, in Annexes I and II to this Regulation, one for industrial products and one for

agricultural products, specifying for each product the volume of its quota or ceiling and the rate of customs duty applicable;

Whereas under the tariff measures in question, Spain and Portugal will apply duties calculated in accordance with the provisions of their respective protocols, which are attached to the interim agreements;

Whereas in the case of the products listed in Annexes I and II to this Regulation which are subject to tariff quotas, particular care should be taken to ensure that all Community importers have equal and continuous access to those quotas and that the rates laid down for the quotas are applied to all imports of the products in question into all Member States until the quotas are exhausted; whereas the necessary measures should be taken to provide for effective Community administration of the tariff quotas so that the Member States may draw against the tariff quotas such quantities as they may need, corresponding to actual imports recorded; whereas this method of administration requires close cooperation between the Member States and the Commission;

Whereas in the case of the products listed in Annexes I and II to this Regulation which are subject to Community tariff ceilings, Community surveillance 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 those products are entered with the customs authorities for free circulation;

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 monitor 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 reintroduce customs duties once a ceiling is reached;

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 these tariff measures may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 March to 31 December 1992, imports into the Community of certain products originating in Hungary, Poland and the CSFR which are listed in Annexes I and II shall be subject to Community tariff quotas or ceilings.

Annexes I and II provide a description of the products concerned, their combined nomenclature codes, their origin and the rates of customs duty applicable.

Once the interim agreements enter into force, the volumes of the tariff quotas and ceilings indicated in the Annexes shall if necessary be reduced to take account of the volume of goods imported from Hungary, Poland and the CSFR from 1 January 1992 under other preferential arrangements, in accordance with the provisions of Protocol 7 annexed to the interim agreements.

The Commission shall inform the Member States and economic operators of the reduction in quota and ceiling volumes attributable to generalized preferences as rapidly as possible, by publishing them in the 'C' series of the *Official Journal of the European Communities*.

2. Within the limits of the tariff quotas referred to in paragraph 1 and until reintroduction of the levying of customs duty on products subject to tariff ceilings, Spain and Portugal shall apply duties calculated in accordance with the provisions of Protocol 5 attached to the interim agreements.

3. The Protocol on the definition of the concept of originating products and methods of administration cooperation, attached to the interim agreements, shall apply.

Article 2

1. The tariff quotas referred to in Article 1 shall be administered by the Commission, which may take all appropriate administrative measures in order to ensure efficient administration thereof.

2. Where an importer declares a product covered by this Regulation for free circulation in a Member State and applies to take advantage of the preferential arrangements, and that declaration is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the quota volume.

Requests for drawings, indicating the date of acceptance of the said declarations, must be sent to the Commission without delay.

The drawings shall be granted by the Commission by reference to the date of acceptance of the declaration for free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

3. If a Member State does not use the quantities drawn, it shall return them to the corresponding quota volume as soon as possible.

4. If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated on a pro rata basis. The Commission shall inform the Member States of the drawings made.

Article 3

1. Quantities shall be charged against the ceilings as and when products are declared to the customs authorities for free circulation.

Goods may be charged against a ceiling only if the movement certificate is presented before the date on which levying of customs duties is reintroduced.

2. The level of utilization of the ceilings shall be determined at Community level on the basis of the imports charged against them in accordance with paragraph 1.

Member States shall inform the Commission within the periods laid down in paragraph 4 of the imports made.

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

4. Member States shall send the Commission not later than the fifteenth day of each month statements of the quantities charged during the preceding month.

Article 4

The Member States and the Commission shall cooperate closely to ensure compliance with this Regulation.

Article 5

This Regulation shall enter into force three days following that of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 March 1992 or the date of entry into force of the interim agreements, whichever is the later⁽¹⁾.

⁽¹⁾ The date of entry into force of the interim agreements is 1 March 1992.

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

Done at Brussels, 27 February 1992.

For the Council

The President

Vitor MARTINS

ANEXO I

Lista de productos industriales sujetos a contingentes o techos arancelarios con exención de derechos ⁽¹⁾

BILAG I

Liste over industriprodukter undergivet importlofter eller toldkontingenter med toldfrihed ⁽¹⁾

ANHANG I

Liste der gewerblichen Waren, für die Kontingente und Tarifplafonds mit Zollfreiheit gelten ⁽¹⁾

ΠΑΡΑΡΤΗΜΑ I

Πίνακας των βιομηχανικών προϊόντων που υπόκεινται σε ποσοτώσεις και οροφές με μηδενικό δασμό ⁽¹⁾

ANNEX I

List of industrial products subject to ceilings or quotas fixed duty-free amounts ⁽¹⁾

ANNEXE I

Liste des produits industriels soumis à des contingents ou des plafonds tarifaires à droit nul ⁽¹⁾

ALLEGATO I

Elenco dei prodotti industriali sottoposti a contingenti e massimali tariffari a dazio nullo ⁽¹⁾

BIJLAGE I

Lijst van de industriële produkten waarvoor contingenten of tariefplafonds met nulrecht gelden ⁽¹⁾

ANEXO I

Lista dos produtos industriais sujeitos a contingentes ou a «plafonds» pautais com direito zero ⁽¹⁾

⁽¹⁾ La designación de las mercancías indicadas en este Anexo es la recogida en la nomenclatura combinada (DO n° L 259 de 16. 9. 1991). No obstante, puesto que existen mercancías que tienen un código Taric, en breve se publicará en el *Diario Oficial de las Comunidades Europeas* una versión completa de este Anexo.

⁽¹⁾ Betegnelsen for de varer, der er omfattet af dette bilag, er den, der er anvendt i Den Kombinerede Nomenklatur (EFT nr. L 259 af 16. 9. 1991). Da visse varer imidlertid har en Taric-kode, vil en fuldstændig udgave af dette bilag blive offentliggjort i *De Europæiske Fællesskabers Tidende* i nærmeste fremtid.

⁽¹⁾ Die Bezeichnung der unter diesen Anhang fallenden Waren entspricht derjenigen in der Kombinierten Nomenklatur (ABl. Nr. L 259 vom 16. 9. 1991). Da einige Waren einen Taric-Code haben, wird eine vollständige Fassung des Anhangs unverzüglich im *Amtsblatt der Europäischen Gemeinschaften* veröffentlicht.

⁽¹⁾ Η περιγραφή των εμπορευμάτων που καλύπτονται από το παρόν παράρτημα είναι η περιγραφή της Συνδυασμένης Ονοματολογίας (ΕΕ αριθ. L 259 της 16. 9. 1991). Ωστόσο, επειδή ορισμένα εμπορεύματα έχουν κωδικό Taric, το πλήρες κείμενο του παρόντος παραρτήματος θα δημοσιευθεί στην *Επίσημη Εφημερίδα των Ευρωπαϊκών Κοινοτήτων* αμελλητί.

⁽¹⁾ The wording for the description of the products covered by this Annex is that of the combined nomenclature (OJ No L 259, 16. 9. 1991). However, since certain products have a Taric code, a complete version of this Annex will be published very shortly in the *Official Journal of the European Communities*.

⁽¹⁾ La désignation des marchandises couvertes par cette annexe est celle figurant dans la nomenclature combinée (JO n° L 259 du 16. 9. 1991). Toutefois, certaines marchandises ayant un code Taric, une version complète de cette annexe sera publiée incessamment au *Journal officiel des Communautés européennes*.

⁽¹⁾ La designazione delle merci contemplate dal presente allegato è quella riportata nella nomenclatura combinata (GU n. L 259 del 16. 9. 1991). Tuttavia, poiché alcune merci sono contraddistinte da un codice Taric, una versione completa di questo allegato sarà pubblicata quanto prima nella *Gazzetta ufficiale delle Comunità europee*.

⁽¹⁾ De omschrijving van de goederen vallende onder deze bijlage is die welke in de gecombineerde nomenclatuur staat (PB nr. L 259 van 16. 9. 1991). Aangezien evenwel bepaalde goederen een Taric-code hebben, zal zo spoedig mogelijk een volledige versie van deze bijlage in het *Publikatieblad van de Europese Gemeenschappen* worden bekendgemaakt.

⁽¹⁾ A designação das mercadorias abrangidas pelo presente anexo é a que consta da Nomenclatura Combinada (JO n° L 259 de 16. 9. 1991). Todavia, como certas mercadorias têm código Taric, publicar-se-á sem demora uma versão completa deste anexo no *Jornal Oficial das Comunidades Europeias*.

Número de orden	Código NC	Países o territorios beneficiarios ⁽¹⁾	Volumen del contingente (ecus)	Volumen del límite máximo (ecus)
Løbenummer	KN-kode	Præferenceberettiget land ⁽¹⁾	Kontingentmængde (ECU)	Loft (ECU)
Laufende Nummer	KN-Code	Begünstigte Länder ⁽¹⁾	Kontingentsmenge (Ecu)	Plafondsmenge (Ecu)
Αύξων αριθμός	Κωδικός ΣΟ	Δικαιούχες χώρες ⁽¹⁾	Υψος της ποσόστασης (Ecu)	Υψος της οροφής (Ecu)
Order No	CN code	Beneficiary country ⁽¹⁾	Quota volume (ecus)	Ceiling (ecus)
Numéro d'ordre	Code NC	Pays bénéficiaire ⁽¹⁾	Volume du contingent (écus)	Volume du plafond (écus)
Numero d'ordine	Codice NC	Paesi beneficiari ⁽¹⁾	Volume del contingente (Ecu)	Volume dei massimali (Ecu)
Volgnummer	GN-code	Begunstigde landen ⁽¹⁾	Omvang contingent (ecu)	Omvang plafond (ecu)
Número de ordem	Código NC	País beneficiário ⁽¹⁾	Volume do contingente (ecus)	Volume do limite máximo (ecus)
(1)	(2)	(3)	(4)	(5)
21.0001	2523	PL CS		8 956 800 8 956 800
21.0003	2813 10 00	PL		517 200
21.0005	2814	H PL		8 240 900 8 599 200
21.0007	2815 11 00 2815 12 00	H PL		1 078 700 1 125 600
21.0009	2817 00 00	PL CS		763 200 763 200
21.0011	2818 10 00	H PL CS		3 292 450 3 435 600 3 435 600
21.0013	2819	PL		1 058 400
21.0015	2823 00 00	PL CS		3 025 200 3 025 200
09.5001	2827 10 00	CS	139 200	
21.0017	2831 10 00 2831 90 00	CS		498 000
21.0019	2833 22 00	H CS		131 100 136 800
21.0021	2833 25 00	PL CS		693 600 693 600

⁽¹⁾ H = Hungría, Ungarn, Ungarn, Ουγγαρία, Hungary, Hongrie, Ungheria, Hongarije, Hungria.
 PL = Polonia, Polen, Polen, Πολωνία, Poland, Pologne, Polonia, Polen, Polónia.
 CS = RFCS, CSFR, CSFR, ΤΣΟΔ, CSFR, RFTS, RFCS, TSFR, RFCE.

(1)	(2)	(3)	(4)	(5)
21.0023	2853 23 00	CS		54 000
21.0025	2836 20 00 2836 30 00	H PL		4 347 000 4 536 000
21.0027	2836 60 00	CS		1 184 400
21.0029	2839 19 00	PL		549 600
21.0031	2902 50 00	H CS		10 776 650 11 245 200
09.5003	2902 60 00	CS	3 441 600	
21.0033	2903 21 00	H PL		2 535 750 2 646 000
21.0035	2903 22 00	PL CS		225 600 225 600
21.0037	2903 61 00	PL CS		500 400 500 400
21.0039	2905 11 00	H PL		10 143 000 10 584 000
21.0041	2905 14 90	PL		926 400
21.0043	2905 16 10	PL		645 600
21.0045	2905 31 00	H PL CS		4 564 350 4 762 800 4 762 800
21.0047	2907 11 00	CS		4 383 600
21.0049	2907 15 00	PL CS		793 200 793 200
21.0051	2909 41 00	CS		1 323 600
21.0053	2917 11 00	CS		237 600
21.0055	2917 14 00	H		2 300 000
21.0057	2917 35 00	H		1 690 500
21.0059	2918 11 00 *10	H PL		380 650 397 200
21.0061 21.0061 09.5005	2918 14 00	H PL CS	252 000	423 200 441 600
21.0063	2918 22 00	PL		225 600
21.0065	2921 19 30	CS		306 000
21.0067	2921 41 00	PL CS		2 670 000 2 670 000
21.0069	2921 42 10	H		441 600

(1)	(2)	(3)	(4)	(5)
21.0071	2921 43 90	H PL		278 300 290 400
21.0073	2922 41 00	H		761 300
21.0075	2924 29 30	H PL		440 450 459 600
21.0077	2926 10 00	H PL		3 443 100 3 592 800
21.0079	2933 61 00	PL		1 125 600
21.0081	2933 71 00	PL CS		3 657 600 3 657 600
21.0083	2933 90 10	PL		241 200
21.0085	2934 30 90 *20	H		127 650
21.0087	2935 00 00	H PL		5 433 750 5 670 000
21.0089	2936 22 00 2936 28 00 2936 29 90	CS		1 260 000
21.0091	2936 26 00	H		87 400
21.0093	2937 21 00 2937 29 10	H		887 800
21.0095	2941 40 00	CS		1 058 400
09.5007	3102 10 10	H PL CS	458 850 478 800 478 800	
21.0097	3102 10 91 3102 10 99 3102 21 00 3102 29 10 3102 29 90 3102 50 90 3102 60 00 3102 70 00 3102 90 00	H CS PL		317 400 331 200 331 200
21.0099	3102 30 10 3102 30 90	H PL CS		1 231 650 1 285 200 1 285 200
21.0101	3102 40 10 3102 40 90	H PL CS		2 783 000 2 904 000 2 904 000
21.0103	3102 80 00	H PL CS		1 554 800 1 622 400 1 622 400
21.0105	3103 10 00	H PL		3 139 500 3 276 000
21.0107	3105	H PL CS		5 554 500 5 796 000 5 796 000

(1)	(2)	(3)	(4)	(5)
21.0109	3206 42 00	CS		121 200
21.0111	3501	H PL		6 500 950 6 783 600
21.0113	3602	PL		348 000
21.0115	3605 00 00	H CS		450 800 470 400
21.0117	3802 10 00	H PL		1 014 300 1 058 400
21.0119	3901 10 10	H		15 697 500
21.0121	3901 10 90	PL		7 498 800
21.0123	3901 20 00	H PL CS		15 093 750 15 750 000 15 750 000
21.0125	3903 3915 20 00 3920 30 00 3920 99 50	H PL CS		5 198 000 5 424 000 5 424 000
21.0127	3904 10 00 3904 21 00 3904 22 00	H PL CS		6 037 500 6 300 000 6 300 000
21.0129	3912 20 19 3912 20 90	H PL CS		603 750 630 000 630 000
21.0133	3916 90 90 *10 3917 29 19 *10 3920 71 11 3920 71 19 3920 71 90	H PL		1 328 250 1 386 000
21.0135	3920 20 21 3920 20 29	H CS		1 490 400 1 555 200
21.0137	3920 20 71 3920 20 79 3920 20 90 3920 71 11 3920 71 19 3920 71 90	H		484 150
21.0139 09.5008	4011 10 00 4011 20 00 4011 30 90 4011 91 00 4011 99 00 4012 10 90 4012 20 90 4012 90 10 4012 90 90 4013 10 10 4013 10 90 4013 90 90	H PL CS	7 560 000	7 245 000 7 560 000

(1)	(2)	(3)	(4)	(5)
21.0141	4011 40 00 4011 50 10 4011 50 90 4013 20 00 4013 90 10	H PL CS		4 690 850 4 894 800 4 894 800
21.0143	4104 10 95 4104 10 99 4104 31 11 4104 31 19 4104 31 30 4104 31 90 4104 39 10 4104 39 90	H PL		9 509 350 9 922 800
21.0145	4105 20 00	H PL		3 042 900 3 175 200
21.0147	4106 20 00	H PL		3 169 400 3 307 200
21.0149	4202 11 10 4202 11 90 4202 12 91 4202 12 99 4202 19 91 4202 19 99 4202 21 00 4202 22 90 4202 29 00 4202 31 00 4202 32 90 4202 39 00 4202 91 10 4202 91 50 4202 91 90 4202 92 91 4202 92 95 4202 92 99 4202 99 10 4202 99 90	H PL CS		7 245 000 7 560 000 7 560 000
21.0151	4202 12 11 4202 12 19 4202 22 10 4202 32 10 4202 92 11 4202 92 15 4202 92 19	H PL CS		4 830 000 5 040 000 5 040 000
21.0153 09.5009	4203 10 00 4203 21 00 4203 29 91 4203 29 99 4203 30 00 4203 40 00	H PL CS	5 160 000	7 607 250 7 938 000 7 938 000
09.5011	4203 29 10	H PL CS	3 804 200 3 969 600 3 969 600	
21.0155	4302 30 10 4303	H PL		2 777 250 2 898 000

(1)	(2)	(3)	(4)	(5)
21.0157 09.5013 09.5013	4411	H PL CS	4 800 000 4 800 000	8 050 000
09.5015	6401 6402	H PL CS	627 900 655 200 655 200	
09.5017	6403	H PL CS	3 306 250 3 450 000 3 450 000	
09.5019	6404 6405 90 10	H PL CS	1 268 450 1 323 600 1 323 600	
21.0159	6405 10 90 6405 20 91 6405 20 99 6405 90 90	H PL	4 105 500 4 500 000	
21.0161 09.5020	6908	H PL CS	 4 599 600	4 407 950 4 599 600
09.5021	6911	H PL CS	664 700 693 600 693 600	
09.5023	6912 00 50	H	698 050	
21.0163	6913	H PL		6 339 950 6 615 600
21.0165 09.5025	7004	H PL CS	 1 704 000	1 633 000 1 704 000
09.5027 21.0167 09.5027	7005	H PL CS	1 014 300 1 058 400	1 058 400
21.0169	7010 90 21 7010 90 31 7010 90 41 7010 90 43 7010 90 45 7010 90 47 7010 90 51 7010 90 53 7010 90 55 7010 90 57 7010 90 61 7010 90 67 7010 90 71 7010 90 77 7010 90 81 7010 90 87 7010 90 99	H PL CS		5 605 100 5 848 800 5 848 800
21.0171	7012 00	H PL		684 250 714 000
09.5029	7013	H PL CS	3 622 500 3 780 000 3 780 000	

(1)	(2)	(3)	(4)	(5)
21.0173	7014 00 00	H PL		633 650 661 200
09.5031	7019 10 51	CS	966 000	
21.0175	7207 19 39 7216 60 11 7216 60 19 7216 60 90 7216 90 50 7216 90 60 7216 90 91 7216 90 93 7216 90 95 7216 90 97 7216 90 98	H PL CS		520 950 543 600 543 600
21.0177	7217 11 10 7217 11 91 7217 11 99 7217 12 10 7217 12 90 7217 13 11 7217 13 19 7217 13 91 7217 13 99 7217 19 10 7217 19 90 7217 21 00 7217 22 00 7217 23 00	H PL CS		2 199 950 2 295 600 2 295 600
21.0179	7207 20 39 7207 20 90 '10 7211 30 90 7211 49 99 7215 10 00 7215 40 00 7218 90 30 7218 90 91 7218 90 99 7219 90 91 7219 90 99	H PL		4 437 850 4 630 800
21.0179	7220 20 31 7220 20 39 7220 20 51 7220 20 59 7220 20 91 7220 20 99 7220 90 19 7220 90 90 7222 20 11 7222 20 19 7222 20 91 7222 20 99 7222 30 51 7222 30 59 7222 30 91 7222 30 99 7222 40 91 7222 40 93 7222 40 99 7223 00			

(1)	(2)	(3)	(4)	(5)
	7224 90 19 7224 90 91 7224 90 99 7225 20 90 7225 90 90			
21.0179	7226 10 91 7226 10 99 7226 20 39 7226 20 59 7226 20 79 7226 20 90 7226 92 91 7226 92 99 7226 99 19 7226 99 39 7226 99 90 7228 10 50 7228 10 90 7228 20 50 7228 20 80 7228 40 00 7228 50 10 7228 50 90 7228 60 90 7228 70 91 7228 70 99			
09.5033	7304 10 10 7304 10 30 7304 10 90 7304 20 91 7304 20 99 7304 31 91 7304 31 99 7304 39 10 7304 39 51 7304 39 59 7304 39 91 7304 39 93 7304 39 99 7304 41 90 7304 49 10 7304 49 91 7304 49 99 7304 51 11 7304 51 19			
09.5033	7304 51 91 7304 51 99 7304 59 10 7304 59 31 7304 59 39 7304 59 91 7304 59 93 7304 59 99 7304 90 90 7305 11 00 7305 12 00 7305 19 00 7305 20 10 7305 20 90 7305 31 00 7305 39 00 7305 90 00			

(1)	(2)	(3)	(4)	(5)
	7306 10 11 7306 10 19 7306 10 90 7306 20 00 7306 30 21 7306 30 29 7306 30 51 7306 30 59 7306 30 71 7306 30 78 7306 30 90 7306 40 91 7306 40 99 7306 50 91 7306 50 99 7306 60 31 7306 60 39 7306 60 90 7306 90 00			
21.0181	7310 29 90 '10	H PL		447 350 466 800
21.0183	7317	H PL CS		1 684 750 1 758 000 1 758 000
09.5035	7318 15 81	CS	997 200	
21.0185	7407 10 00 7407 21 10 7407 21 90 '90 7407 22 10 '90 7407 22 90 '90 7407 29 00 '90 7408 11 00 7408 19 10 7408 19 90 7408 21 00 7408 22 10 7408 29 10 7408 29 90	PL		14 048 400
21.0187	7407 21 90 '10 7407 22 10 '10 7407 22 90 '10 7407 29 00 '10 7411	PL		3 969 600
21.0189	7409	H PL		3 246 450 3 387 600
21.0191	7604 10 10 7604 10 90 7604 29 10 7604 29 90 7605	H		8 875 700
21.0193	7606	H		13 535 500
21.0195	7608	H		2 605 900
21.0197	7613	H		538 200
21.0199	8201 10 00	PL		177 600

(1)	(2)	(3)	(4)	(5)
21.0201	8482 10 10	H PL		2 535 750 2 646 000
21.0203	8516 50 00	H PL		3 241 850 3 382 800
21.0205	8527 11 10 8527 11 90 8527 21 10 8527 21 90 8527 29 00 8527 31 10 8527 31 91 8527 31 99 8527 32 90 8527 39 10 8527 39 91 8527 39 99 8527 90 91 8527 90 99 8528 10 61 8528 10 69 8528 10 80 8528 10 91 8528 10 98 8528 20 20 8528 20 71 8528 20 73 8528 20 79 8528 20 91	H PL		5 071 500 5 292 000
	8529 10 20 8529 10 31 8529 10 39 8529 10 40 8529 10 50 8529 10 70 8529 10 90 8529 90 70 8529 90 98			
21.0207	8528 10 40 8528 10 50 8528 10 71 8528 10 73 8528 10 75 8528 10 78	H PL		5 071 500 5 292 000
21.0209	8532	CS		5 166 000
09.5037 21.0211 09.5037	8539 10 90 8539 21 30 8539 21 91 8539 21 99 8539 22 10 8539 22 90 8539 29 31 8539 29 39 8539 29 91 8539 29 99	H PL CS	2 155 100 2 248 800	2 248 800
21.0213	8540 11 10 8540 11 30 8540 11 50 8540 11 80	H PL CS		3 042 900 3 175 200 3 175 200

(1)	(2)	(3)	(4)	(5)
21.0215	8540 91 00 8540 99 00 8541 10 10 8541 10 91 8541 10 99 8541 21 10 8541 21 90 8541 29 10 8541 29 90 8541 30 10 8541 30 90 8541 40 10 8541 50 10 8541 50 90 8541 90 00 8542	H PL		6 339 950 6 615 600
21.0217	8545 11 00 8545 20 00 8545 19 90 8545 90 90	PL		5 156 400
21.0219	8545 19 10	PL		381 600
09.5039	8701 20	H PL CS	4 183 700 4 365 600 4 365 600	
09.5041	8701 90	CS	17 269 200	
09.5043	8702 10 11 8702 10 19	H PL	1 268 450 1 323 600	
09.5045 21.0221 21.0221	8703 21 10 8703 22 11 8703 22 19 8703 23 11 8703 23 19 8703 31 10 8703 32 11 8703 32 19 8703 33 11 *10 8703 33 19 *10 8703 90 90 *11	H PL (*) CS	50 715 000	150 000 000 (*) 96 579 600
21.0223	8704 21 91 8704 31 91	H PL		5 071 500 5 292 000

(*) Este límite a favor de Polonia queda suspendido provisionalmente. En el *Diario Oficial de las Comunidades Europeas* se informará oportunamente del final de dicha suspensión.

(*) Dette loft over for Polen er midlertidigt suspenderet. En oplysning vil blive offentliggjort i *De Europæiske Fællesskabers Tidende*, når denne suspendering slutter.

(*) Diese Obergrenze zugunsten Polens wird vorläufig ausgesetzt. Sobald diese Aussetzung beendet wird, wird eine entsprechende Mitteilung im *Amtsblatt der Europäischen Gemeinschaften* veröffentlicht.

(*) Το ανώτατο αυτό όριο υπέρ της Πολωνίας έχει προσωρινώς ανασταλεί. Όταν η εν λόγω αναστολή περατωθεί, θα δημοσιευθεί σχετική ανακοίνωση στην *Επίσημη Εφημερίδα των Ευρωπαϊκών Κοινοτήτων*.

(*) This ceiling for Poland is temporarily suspended. Notice of its re-entry into effect will be published in the *Official Journal of the European Communities*.

(*) Ce plafond en faveur de la Pologne est provisoirement suspendu. Une information sera publiée au *Journal officiel des Communautés européennes* lorsque cette suspension prendra fin.

(*) Questo massimale a favore della Polonia è temporaneamente sospeso. Allorché tale sospensione cesserà ne verrà data informazione nella *Gazzetta ufficiale delle Comunità europee*.

(*) Het plafond ten gunste van Polen is voorlopig geschorst. Intrekking van deze schorsing zal in het *Publikatieblad van de Europese Gemeenschappen* worden bekendgemaakt.

(*) Esse limite máximo a favor da Polónia é suspenso provisoriamente. Publicar-se-á uma informação no *Jornal Oficial das Comunidades Europeias* logo que esta suspensão cesse.

(1)	(2)	(3)	(4)	(5)
09.5047 21.0225	8704 22 91 8704 22 99 8704 23 91 8704 23 99	PL CS	10 584 000	10 584 000
21.0227	9003	H PL		5 071 500 5 292 000
21.0229	9105	H PL		5 959 300 6 218 400
21.0231	9401 20 00 9401 30 10 9401 30 90 9401 40 00 9401 50 00 9401 61 00 9401 69 00 9401 71 00 9401 79 00 9401 80 00 9401 90 90	H PL CS		16 883 150 17 617 200 17 617 200
21.0233	9403 10 10 9403 10 51 9403 10 59 9403 10 91 9403 10 93 9403 10 99 9403 20 91 9403 20 99 9403 30 11 9403 30 19 9403 30 91 9403 30 99 9403 40 00 9403 50 00 9403 60 10 9403 60 30 9403 60 90 9403 70 90 9403 90 10 9403 90 30 9403 90 90	PL CS		82 951 200 82 951 200
21.0235	9405 30 00 9505	PL		5 040 000
21.0237	9405 91 19	H PL CS		1 207 500 1 260 000 1 260 000
09.5049	9503 (d)	H PL	12 678 750 13 230 000	
21.0239	9603 29 10 9603 29 30 9603 29 90 9603 30 10 9603 30 90 9603 40 10 9603 90 91 (d)	H PL		2 415 000 2 520 000

ANEXO II

Lista de productos agrícolas sujetos a contingentes arancelarios con reducción o exención de derechos⁽¹⁾

BILAG II

Liste over landbrugsprodukter undergivet importlofter eller toldkontingenter med nedsat told eller toldfrihed⁽¹⁾

ANHANG II

Liste der landwirtschaftlichen Waren, für die Zollkontingente mit ermäßigtem Zollsatz oder Zollfreiheit gelten⁽¹⁾

ΠΑΡΑΡΤΗΜΑ II

Κατάσταση αγροτικών προϊόντων που υπόκεινται σε δασμολογικές ποσοτώσεις με μειωμένο ή μηδενικό δασμό⁽¹⁾

ANNEX II

List of agricultural products subject to tariff quotas for reduced or zero duty⁽¹⁾

ANNEXE II

Liste des produits agricoles soumis à des contingents tarifaires à droit réduit ou nul⁽¹⁾

ALLEGATO II

Elenco dei prodotti agricoli sottoposti a contingenti tariffari a dazio ridotto o nullo⁽¹⁾

BIJLAGE II

Lijst van de landbouwprodukten waarvoor contingenten met verminderde rechten of met nulrecht gelden⁽¹⁾

ANEXO II

Lista dos produtos agrícolas sujeitos a contingentes pautais com direito reduzido ou zero⁽¹⁾

⁽¹⁾ La designación de las mercancías indicadas en este Anexo es la recogida en la nomenclatura combinada (DO n° L 259 de 16. 9. 1991). No obstante, puesto que existen mercancías que tienen un código Taric, en breve se publicará en el *Diario Oficial de las Comunidades Europeas* una versión completa de este Anexo.

⁽²⁾ Betegnelsen for de varer, der er omfattet af dette bilag, er den, der er anvendt i Den Kombinerede Nomenklatur (EFT nr. L 259 af 16. 9. 1991). Da visse varer imidlertid har en Taric-kode, vil en fuldstændig udgave af dette bilag blive offentliggjort i *De Europæiske Fællesskabers Tidende* i nærmeste fremtid.

⁽³⁾ Die Bezeichnung der unter diesen Anhang fallenden Waren entspricht derjenigen in der Kombinierten Nomenklatur (ABl. Nr. L 259 vom 16. 9. 1991). Da einige Waren einen Taric-Code haben, wird eine vollständige Fassung des Anhangs unverzüglich im *Amtsblatt der Europäischen Gemeinschaften* veröffentlicht.

⁽⁴⁾ Η περιγραφή των εμπορευμάτων που καλύπτονται από το παρόν παράρτημα είναι η περιγραφή της Συνδυασμένης Ονοματολογίας (ΕΕ αριθ. L 259 της 16. 9. 1991). Ωστόσο, επειδή ορισμένα εμπορεύματα έχουν κωδικό Taric, το πλήρες κείμενο του παρόντος παραρτήματος θα δημοσιευθεί στην *Επίσημη Εφημερίδα των Ευρωπαϊκών Κοινοτήτων* αμέλλῃ.

⁽⁵⁾ The wording for the description of the products covered by this Annex is that of the combined nomenclature (OJ No L 259, 16. 9. 1991). However, since certain products have a Taric code, a complete version of this Annex will be published very shortly in the *Official Journal of the European Communities*.

⁽⁶⁾ La désignation des marchandises couvertes par cette annexe est celle figurant dans la nomenclature combinée (JO n° L 259 du 16. 9. 1991). Toutefois, certaines marchandises ayant un code Taric, une version complète de cette annexe sera publiée incessamment au *Journal officiel des Communautés européennes*.

⁽⁷⁾ La designazione delle merci contemplate dal presente allegato è quella riportata nella nomenclatura combinata (GU n. L 259 del 16. 9. 1991). Tuttavia, poiché alcune merci sono contraddistinte da un codice Taric, una versione completa di questo allegato sarà pubblicata quanto prima nella *Gazzetta ufficiale delle Comunità europee*.

⁽⁸⁾ De omschrijving van de goederen vallende onder deze bijlage is die welke in de gecombineerde nomenclatuur staat (PB nr. L 259 van 16. 9. 1991). Aangezien evenwel bepaalde goederen een Taric-code hebben, zal zo spoedig mogelijk een volledige versie van deze bijlage in het *Publikatieblad van de Europese Gemeenschappen* worden bekendgemaakt.

⁽⁹⁾ A designação das mercadorias abrangidas pelo presente anexo é a que consta da Nomenclatura Combinada (JO n° L 259 de 16. 9. 1991). Todavia, como certas mercadorias têm código Taric, publicar-se-á sem demora uma versão completa deste anexo no *Jornal Oficial das Comunidades Europeias*.

Número de orden	Código NC	Origen (1)	Volumen del contingente (toneladas)	Derecho aplicable
Løbenummer	KN-kode	Oprindelse (1)	Kontingentmængde (tons)	Toldsats
Laufende Nummer	KN-Code	Ursprung (1)	Kontingentsmenge (Tonnen)	Anzuwendender Zollsatz
Αύξων αριθμός	Κωδικός ΣΟ	Δικαιούχες Χώρες (1)	Ύψος της ποσόστωσης (τόνοι)	Ύψος της οροφής
Order No	CN code	Origin (1)	Quota volume (tonnes)	Duty to be applied
Numéro d'ordre	Code NC	Origine (1)	Volume du contingent (tonnes)	Droit applicable
Numero d'ordine	Codice NC	Origine (1)	Volume del contingente (tonnellate)	Dazio applicabile
Volgnummer	GN-code	Oorsprong (1)	Omvang van het contingent (in ton)	Toe te passen recht
Número de ordem	Código NC	Origem (1)	Volume do contingente (tonelada)	Direito aplicável
(1)	(2)	(3)	(4)	(5)
09.5101	0701 10 00	PL	242	5,6
09.5103	0701 90 90	PL	2 417	14,4
09.5105	0703 10	H	35 583	9,6
09.5107	0703 10 11	PL	785	9,6
09.5109	0703 10 19	PL	89 167	9,6
09.5111	0703 10 90	PL	917	9,6
09.5113	0703 20 00	PL	375	9,6
09.5115	0703 90 00	PL	117	10,4
09.5117	0704 10 10 0704 10 90 0704 20 00 0704 90 10 0704 90 90	PL	458	13,6 9,6 12 12 12
09.5119	0705 11 10 0705 11 90 0705 19 00 0705 21 00	PL	83	10,4
09.5121	0706 10 00 *11 *12 *13	PL	458	13,6
09.5123	0706 90 11 0706 90 19	PL	458	10,4 13,6
09.5125	0706 90 90	PL	150	13,6
09.5127	0707 00 11	H PL	83 917	12,8 12,8
09.5129	0708 10 10 0708 20 10 0708 20 90 0708 90 00		250	8 10,4 13,6 13,6
09.5131	0708 20 90	PL	292	13,6 MIN 3 Écu

(1) H = Hungría, Ungarn, Ungarn, Ουγγαρία, Hungary, Hongrie, Ungheria, Hongarije, Hungria.

PL = Polonia, Polen, Polen, Πολωνία, Poland, Pologne, Polonia, Polen, Polónia.

CS = RFCS, Tjekkosllovakiet, CSFR, ΤΕΟΔ, CSFR, RFTS, RFCS, TSFR, RFCE.

(1)	(2)	(3)	(4)	(5)
09.5133	0709 51 10	H	833	12,8
09.5135	0709 51 50	PL	225	5,6
09.5137	0709 52 00	H	83	6,4
09.5139	0709 60 10	H PL	8 333 100	7,2 7,2
09.5141	0710 21 00	H PL	7 333 1 333	14,4 14,4
09.5143	0710 22 00	H PL	1 833 7 917	14,4 14,4
09.5145	0710 29 00	H PL	917 1 083	14,4 14,4
09.5147	0710 30 00	PL	1 083	14,4
09.5149	0710 80 90	H PL	9 167 20 083	14,4 14,4
09.5151	0710 90 00	H PL	1 250 1 125	14,4 14,4
09.5153	0712 10 00	PL	108	12,8
09.5155	0712 90 50	PL	1 167	12,8
09.5157	0808 10 10	H	13 750	7,2
09.5159	0808 10 91 0808 10 93 0808 10 99	H PL	2 750 917	11,2 MIN 2,4 Ecu/100 kg/net 6,4 MIN 2,3 Ecu/100 kg/net 4,8 MIN 1,4 Ecu/100 kg/net
09.5161	0809 10 00	H	917	20
09.5163	0809 40 11 0809 40 19	H PL	3 667 458	12 MIN 3 Ecu/100 kg/net 6,4 MIN 3 Ecu/100 kg/net
09.5165	0811 10 11 0811 10 19	PL	708	20,8 + AGR
09.5167	0811 20 59 0811 20 90 0811 90 50 0811 90 70 0811 90 90	PL	8 750	12 14,4 12 3,2 14,4
09.5169	0813 20 00 0813 50 19 0813 50 91 0813 50 99 0813 30 00 0813 40 30 0813 50 11 0813 50 30 0813 10 00 0813 40 10 0813 40 80	H PL	917 917	9,6 9,6 8 9,6 6,4 6,4 6,4 6,4 5,6 5,6 4,8
09.5171	1210	CS	3 750	7,2
09.5173	1512 11 91	H	1 167	8
09.5175	2001 10 00	H PL	12 333 1 167	17,6 17,6
09.5177	2002 90 30	H	3 292	14,4
09.5179	2002 90 90	H	917	14,4

(1)	(2)	(3)	(4)	(5)
09.5181	2005 30 00	H	1 667	16
09.5183	2005 40 00	PL	225	19,2
09.5185	2005 59 00	PL	917	19,2
09.5187	2005 90 90 *19 *70	H	1 000	17,6
09.5189	2007 99 31 *10 2007 99 33 2007 99 35	H PL	1 667 917	24 + AGR 24 + AGR 24 + AGR
09.5191	2008 80 50	PL	233	16 + 2 AD S/Z
09.5193	2008 80 70	PL	2 250	19,2 + 2 AD S/Z
09.5195	2008 80 99	PL	125	18,4
09.5197	2008 99 45 *10	H	1 167	18,4 + 2 AD S/Z
09.5199	2008 99 48 *21 *91	H	833	16 + 2 AD S/Z
09.5201	2008 99 99 *21 *81	H	3 208	18,4
09.5203	2009 70 19	H PL	3 667 5 000	33,6 33,6
09.5205	2009 80 11 2009 80 19 2009 80 32 2009 80 34 2009 80 39 2009 80 50 2009 80 61 2009 80 63 2009 80 69 2009 80 80 2009 80 83 2009 80 85 2009 80 93 2009 80 95 2009 80 99	H	833	33,6 + AGR 33,6 16,8 + AGR 33,6 + AGR 33,6 19,2 + AGR 19,2 + AGR 19,2 20 16,8 16,8 + AGR 16,8 + AGR 16,8 17,6 17,6
09.5207	2401 10 10 2401 10 20 2401 10 30 2401 10 41 2401 10 49 2401 10 50 2401 10 60 2401 10 70 2401 10 80 2401 10 90 2401 20 10 2401 20 20 2401 20 30	H	1 917	18,5 MIN 22 Ecu/100 kg/net 18,5 MIN 22 Ecu/100 kg/net 18,5 MIN 22 Ecu/100 kg/net 18,5 MIN 22 Ecu/100 kg/net 11,5 MIN 22 Ecu/100 kg/net 11,5 MIN 22 Ecu/100 kg/net 11,5 MIN 22 Ecu/100 kg/net 11,5 MIN 22 Ecu/100 kg/net 18,5 MIN 22 Ecu/100 kg/net 18,5 MIN 22 Ecu/100 kg/net 18,5 MIN 22 Ecu/100 kg/net

(1)	(2)	(3)	(4)	(5)
	2401 20 41			18,5
	2401 20 49			MIN 22 Ecu/100 kg/net 18,5
	2401 20 50			MIN 22 Ecu/100 kg/net 11,5
	2401 20 60			MIN 22 Ecu/100 kg/net 11,5
	2401 20 70			MIN 22 Ecu/100 kg/net 11,5
	2401 20 80			MIN 22 Ecu/100 kg/net 11,5
	2401 20 90			MIN 22 Ecu/100 kg/net 11,5
09.5209	0710 40 0711 90 0711 90 30	H	4 125	0 + MOBR 0 + MOBR 0 + MOBR
09.5211	1519 12 00 1519 20 00	H	250	0 3,3
09.5213	1704 10 11 1704 10 19 1704 10 91 1704 10 99 1704 90 10 1704 90 30 1704 90 51 *11 1704 90 51 *19 1704 90 51 *90 1704 90 55 1704 90 61 1704 90 65 1704 90 71 1704 90 75 1704 90 81 1704 90 99 *10 1704 90 99 *90	H	2 067	0 + MOBR MAX 23 0 + MOBR MAX 18 9 2 + MOBR MAX 27 + AD S/Z 3 + MOBR 3 + MOB MAX 27 + AD S/Z 3 + MOBR MAX 27 + AD S/Z 3 + MOBR 3 + MOB
09.5215	1803	H	458	8,8
09.5217	1804 00 00	H	750	6,4
09.5219	1805 00 00	H	21	7,2
09.5221	1806 10 10 *11 1806 10 10 *19 1806 10 10 *91 1806 10 10 *99 1806 10 30 *10 1806 10 30 *90 1806 10 90 *10 1806 10 90 *90 1806 20 10 1806 20 30 1806 20 50 1806 20 70 1806 20 80 *10 1806 20 95 *10 1806 20 80 *90 1806 20 95 *90 1806 31 1806 32 1806 90	H	1 033	0 8 0 + MOBR 5 + MOBR 0 + MOBR 5 + MOBR 0 + MOBR 5 + MOBR 4,5 + MOBR MAX 27 + AD S/Z 4,5 + MOBR MAX 27 + AD S/Z 4,5 + MOBR MAX 27 + AD S/Z 12,7 + MOBR 4,5 + MOBR MAX 27 + AD S/Z 4,5 + MOB MAX 27 + AD S/Z 4,5 + MAX 27 + AD S/Z 4,5 + MOBR MAX 27 + AD S/Z

(1)	(2)	(3)	(4)	(5)
	1806 90 11 1806 90 19 1806 90 31 1806 90 39 1806 90 50 1806 90 60 *10 *90 1806 90 70 1806 90 90 *11 1806 90 90 *91 1806 90 90 *19 1806 90 90 *99			6 + MOBR MAX 27 + AD S/Z 6 + MOB MAX 27 AD S/Z
09.5223	1901 10 00	H	9	0 + MOBR
09.5525	1901 20	H	508	0 + MOBR
09.5227	1901 90 11 1901 90 19 1901 90 90 *12 1901 90 90 *14 1901 90 90 *16 1901 90 90 *18 1901 90 90 *21 1901 90 90 *23 1901 90 90 *27 1901 90 90 *29 1901 90 90 *51 1901 90 90 *53 1901 90 90 *57 1901 90 90 *59 1901 90 90 *93 1901 90 90 *95 1901 90 90 *97 1901 90 90 *99	H H H	975 975 975	4 + MOBR 0 0 + MOBR
	1902 11 1902 19 1902 20 10 1902 29 30 1902 20 91 1902 20 99 1902 30 1902 40 10 1902 40 90	H	217	6 + MOBR 7,5 + MOBR 5 + MOBR 6 + MOBR 5 + MOBR
09.5229	1903 00 00 *10 1903 00 00 *90	H	24	5 + MOBR 0 + MOBR
09.5231	1904 10 1904 90 10 1904 90 90	H	79	0 + MOBR 0 + MOBR 0 + MOBR
09.5233	1905 10 1905 20 1905 30 1905 30 11 1905 30 19 1905 30 30 1905 30 51 1905 30 59 1905 30 99 1905 30 91 1905 40 1905 90 10 1905 90 20 1905 90 30	H	708	0 + MOBR MAX 24 + AD S/Z 0 + MOBR 6,5 + MOBR MAX 35 + AD S/Z 6,5 + MOBR MAX 30 + AD F/M 2 + MOBR 0 + MOBR MAX 20 + AD F/M 0 + MOBR

(1)	(2)	(3)	(4)	(5)
	1905 90 40 1905 90 45 1905 90 55 1905 90 60 1905 90 90			6,5 + MOBR MAX 30 + AD F/M 6,5 + MOBR MAX 30 + AD F/M 6,5 + MOBR MAX 30 + AD F/M
09.5235	2001 90 30 2004 90 10 2005 80	H	7 250	0 + MOBR
09.5237	2101 10 99 2101 20 10 *10 2101 20 10 *90 2101 20 90	H	9	6,5 + MOBR 0 4,4 6,5 + MOBR
09.5239	2101 30 11 2101 30 19 2101 30 91 2101 30 99	H	408	12,9 0 + MOBR 15,3 0 + MOBR
09.5241	2103 10 00 *10 2103 10 00 *90 2103 20 00 *10 2103 20 00 *90 2103 30 90 2103 90 90 *11 2103 90 90 *19 2103 90 90 *91 2103 90 90 *99	H	1 642	8,2 4,4 6 11,5 6,5 5,9 9 9 5
09.5243	2104 10 00 *10 2104 10 00 *90 2104 20 00	H	467	9 9 12,8
09.5245	2105	H	38	6 + MOBR MAX 27 + AD S/Z
09.5247	2106 10 10 2106 10 90	H	108	14,1 6,5 + MOBR
09.5249	2106 90 10 2106 90 91 *10 2106 90 91 *90 2106 90 99 *12 2106 90 99 *22 2106 90 99 *34 2106 90 99 *92 2106 90 99 *14 2106 90 99 *24 2106 90 99 *32 2106 90 99 *94	H	708	6,5 + MOBR MAX 30 Ecu/100 kg/net 14,8 6,5 + MOBR 6,5 + MOBR 6,5 + MOBR
09.5251	2202 10 00 2202 90 10 *10 2202 90 91 2202 90 95 2202 90 99	H	1 150	3 4,4 4 + MOBR
09.5253	2203	H	925	10
09.5255	2205 10 10 2205 10 90 2205 90 10 2205 90 90	H	267	13,6 Ecu/hl 1,1 Ecu/ % vol/hl + 8 Ecu/hl 11,2 Ecu/hl 1,1 Ecu/ % vol/hl

COMMISSION DECISION No 522/92/ECSC

of 28 February 1992

on certain modalities for the application of the Interim Agreement on trade and trade related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Republic of Poland of the other part

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 74 and 95, first subparagraph thereof,

Whereas an interim agreement on trade and trade related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Republic of Poland of the other part ('the Agreement') was signed in Brussels on 16 December 1991;

Whereas it is necessary to lay down the modalities for the implementation of certain provisions of the Agreement and in particular those contained in Protocol 2 applicable to coal and steel products;

Whereas such modalities have been laid down for the European Economic Community by Council Regulation (EEC) No 518/92 of 27 February 1992 on certain modalities for the application of the Interim Agreement on trade and trade related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Republic of Poland of the other part⁽¹⁾;

Whereas, as regards measures of commercial protection it is necessary to lay down the specific provisions concerning the general rules set out in Commission Decision No 2424/88/ECSC of 29 July 1988 on protection against dumped or subsidized imports from third countries not members of the European Coal and Steel Community⁽²⁾ where the Agreement makes this necessary;

Whereas account should be taken of the undertakings set out in the Agreement when examining whether a safeguard measure should be introduced;

Whereas it is appropriate to make sure that the rules for the application of the Agreement should be similar for both the European Economic Community and the European Coal and Steel Community;

Whereas certain actions go beyond the powers of action provided for in the Treaty and it is therefore necessary in this case to refer to the provisions of Article 95, after

consultation with the consultative committee and with the unanimous assent of the Council,

HAS ADOPTED THIS DECISION:

Article 1

The Commission may, with the assent of the Council, decide to make a reference to the Joint Committee established by the Agreement concerning the measures provided for in Article 22 and Article 44 (2) of the Agreement. Where necessary, the Commission shall adopt these measures in accordance with the same procedure.

The Commission may take the decisions to this end on its own initiative or at the request of a Member State.

Article 2

1. In the case of a practice that may justify application by the Community of the measures provided for in Article 8 of Protocol 2 to the Agreement, the Commission, after examining the case on its own initiative or at the request of a Member State, shall decide whether such practice is compatible with the Agreement. Where necessary, it shall, with the assent of the Council, adopt safeguard measures, except in the case of public aids to which Decision No 2424/88/ECSC applies, which latter measures shall be taken according to the procedures laid down in that Decision. Such measures shall be taken under the conditions provided for in Article 8 of Protocol 2 to the Agreement.

2. In the case of a practice that may cause safeguard measures to be applied by Poland against the Community on the basis of Article 8 of Protocol 2 to the Agreement, the Commission, after examining the case, shall decide whether the practice is compatible with the principles set out in the Agreement. Where necessary, it shall take appropriate decisions on the basis of the criteria laid down in Articles 65 and 66 of the ECSC Treaty, Article 85 of the Treaty establishing the European Economic Community, and on the basis of the rules applicable to State aids, including secondary legislation.

Article 3

In the case of dumping practices liable to warrant the application by the Community of the measures provided for in Article 23 of the Agreement, the introduction of anti-dumping measures shall be decided upon in accord-

⁽¹⁾ See page 3 of this Official Journal.

⁽²⁾ OJ No L 209, 2. 8. 1988, p. 18.

ance with the procedures laid down in Decision No 2424/88/ECSC and the procedure provided for in Articles 27 (2) and 27 (3) (b) or (d) of the Agreement.

Article 4

1. Where a Member State requests the Commission to apply safeguard measures as provided for in Articles 24 or 25 of the Agreement, and if the Commission decides not to apply them, the Commission shall inform the Council and the Member States accordingly within five working days of receipt of the request from the Member State.

Member States shall provide the Commission with the information needed to justify their requests to apply safeguard measures.

Any Member State may refer the decision of the Commission to the Council within 10 working days of its notification.

If the Council, acting by the qualified majority referred to in Article 28 (4) of the Treaty, indicates its intention to request a different decision, the Commission shall inform the Republic of Poland without delay and shall inform it of the opening of the consultations within the Joint Committee as provided for in Article 27 (2) and (3) of the Agreement.

The Council, acting by qualified majority, may ask the Commission, within one month after the conclusion of the consultations with Poland within that Joint Committee, to adopt safeguard measures.

2. Where the Commission, at the request of a Member State or on its own initiative, decides that the safeguard measures provided for in Articles 24 or 25 of the Agreement should be applied:

- it shall inform the Member State forthwith or, if it is responding to a Member State's request, within five working days of the date of receipt of that request,
- it shall consult the committee mentioned in Article 5 (2) of Council Regulation (EEC) No 518/92 (hereinafter referred to as 'the committee'),
- at the same time it shall inform the Republic of Poland and notify the Joint Committee of the opening of consultations as referred to in Article 27 (2) and (3) of the Agreement,
- at the same time it shall provide the Joint Committee with all the information necessary for these consultations.

3. In any event, the consultations within the Joint Committee shall be deemed to be completed 30 days after the notification referred to in the fourth subparagraph of paragraph 1 and in paragraph 2.

At the end of the consultations or on expiry of the period of 30 days, and if no other arrangement proves possible, the Commission, after consulting the committee, may

take appropriate measures to implement Articles 24 and 25 of the Agreement.

4. The decision referred to in paragraph 3 shall be notified forthwith to the Council, the Member States and the Republic of Poland. It shall also be notified to the Joint Committee.

It shall be immediately applicable.

5. Any Member State may refer the Commission decision referred to in paragraph 3 to the Council within 10 working days of receiving notification of the decision.

6. If the Commission has not taken a decision within the meaning of paragraph 3 second subparagraph within 10 working days following the end of the consultations with the Joint Committee or, as the case may be, the end of the period of 30 days, any Member State which has referred the matter to the Commission in accordance with paragraph 2 may refer it to the Council.

7. In the case referred to in paragraph 5 the Council, acting by a qualified majority, may, within one month, ask the Commission to adopt different safeguard measures, and in the case mentioned in paragraph 6, ask the Commission to take measures.

Article 5

1. Where exceptional circumstances arise within the meaning of Article 27 (3) (d) of the Agreement, the Commission may take immediate safeguard measures in the cases referred to in Articles 24 and 25 of the Agreement.

2. If the Commission receives a request from a Member State it shall take a decision thereon within five working days following receipt of the request.

It shall notify the Council and the Member States of its decision.

3. Any Member State may refer the Commission's decision to the Council in accordance with the procedure provided for in Article 4 (5) of this Decision.

The procedure set out in Article 4 (5) to (7) shall be applicable.

If the Commission has not taken a decision within the time limit mentioned in paragraph 2, any Member State which has referred the matter to the Commission may refer it to the Council in accordance with the procedure laid down in the preceding subparagraphs.

Article 6

Notification to the Joint Committee by the Community as required by the Agreement shall be the responsibility of the Commission.

Article 7

This Decision shall enter into force on 1 March 1992.

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

Done at Brussels, 28 February 1992.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION No 523/92/ECSC

of 28 February 1992

on certain modalities for the application of the Interim Agreement on trade and trade related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Republic of Hungary of the other part

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 74 and 95, first subparagraph thereof,

Whereas an interim agreement on trade and trade related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Republic of Hungary of the other part ('the Agreement') was signed in Brussels on 16 December 1991;

Whereas it is necessary to lay down the modalities for the implementation of certain provisions of the Agreement and in particular those contained in Protocol 2 applicable to coal and steel products;

Whereas such modalities have been laid down for the European Economic Community by Council Regulation (EEC) No 519/92 of 27 February 1992 on certain modalities for the application of the Interim Agreement on trade and trade related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Republic of Hungary of the other part⁽¹⁾;

Whereas, as regards measures of commercial protection it is necessary to lay down the specific provisions concerning the general rules set out in Commission Decision No 2424/88/ECSC of 29 July 1988 on protection against dumped or subsidized imports from third countries not members of the European Coal and Steel Community⁽²⁾ where the Agreement makes this necessary;

Whereas account should be taken of the undertakings set out in the Agreement when examining whether a safeguard measure should be introduced;

Whereas it is appropriate to make sure that the rules for the application of the Agreement should be similar for both the European Economic Community and the European Coal and Steel Community;

Whereas certain actions go beyond the powers of action provided for in the Treaty and it is therefore necessary in this case to refer to the provisions of Article 95, after

consultation with the consultative committee and with the unanimous assent of the Council,

HAS ADOPTED THIS DECISION:

Article 1

The Commission may, with the assent of the Council, decide to make a reference to the Joint Committee established by the Agreement concerning the measures provided for in Article 22 and Article 44 (2) of the Agreement. Where necessary, the Commission shall adopt these measures in accordance with the same procedure.

The Commission may take the decisions to this end on its own initiative or at the request of a Member State.

Article 2

1. In the case of a practice that may justify application by the Community of the measures provided for in Article 8 of Protocol 2 to the Agreement, the Commission, after examining the case on its own initiative or at the request of a Member State, shall decide whether such practice is compatible with the Agreement. Where necessary, it shall, with the assent of the Council, adopt safeguard measures, except in the case of public aids to which Decision No 2424/88/ECSC applies, which latter measures shall be taken according to the procedures laid down in that Decision. Such measures shall be taken under the conditions provided for in Article 8 of Protocol 2 to the Agreement.

2. In the case of a practice that may cause safeguard measures to be applied by Hungary against the Community on the basis of Article 8 of Protocol 2 to the Agreement, the Commission, after examining the case, shall decide whether the practice is compatible with the principles set out in the Agreement. Where necessary, it shall take appropriate decisions on the basis of the criteria laid down in Articles 65 and 66 of the ECSC Treaty, Article 85 of the Treaty establishing the European Economic Community, and on the basis of the rules applicable to State aids, including secondary legislation.

Article 3

In the case of dumping practices liable to warrant the application by the Community of the measures provided for in Article 23 of the Agreement, the introduction of anti-dumping measures shall be decided upon in

⁽¹⁾ See page 6 of this Official Journal.

⁽²⁾ OJ No L 209, 2. 8. 1988, p. 18.

accordance with the procedures laid down in Decision No 2424/88/ECSC and the procedure provided for in Articles 27 (2) and 27 (3) (b) or (d) of the Agreement.

Article 4

1. Where a Member State requests the Commission to apply safeguard measures as provided for in Articles 24 or 25 of the Agreement, and if the Commission decides not to apply them, the Commission shall inform the Council and the Member States accordingly within five working days of receipt of the request from the Member State.

Member States shall provide the Commission with the information needed to justify their requests to apply safeguard measures.

Any Member State may refer the decision of the Commission to the Council within 10 working days of its notification.

If the Council, acting by the qualified majority referred to in Article 28 (4) of the Treaty, indicates its intention to request a different decision, the Commission shall inform the Republic of Hungary without delay and shall inform it of the opening of the consultations within the Joint Committee as provided for in Article 27 (2) and (3) of the Agreement.

The Council, acting by qualified majority, may ask the Commission, within one month after the conclusion of the consultations with Hungary within that Joint Committee, to adopt safeguard measures.

2. Where the Commission, at the request of a Member State or on its own initiative, decides that the safeguard measures provided for in Articles 24 or 25 of the Agreement should be applied:

- it shall inform the Member State forthwith or, if it is responding to a Member State's request, within five working days of the date of receipt of that request,
- it shall consult the committee mentioned in Article 5 (2) of Council Regulation (EEC) No 519/92 (hereinafter referred to as 'the committee'),
- at the same time it shall inform the Republic of Hungary and notify the Joint Committee of the opening of consultations as referred to in Article 27 (2) and (3) of the Agreement,
- at the same time it shall provide the Joint Committee with all the information necessary for these consultations.

3. In any event, the consultations within the Joint Committee shall be deemed to be completed 30 days after the notification referred to in the fourth subparagraph of paragraph 1 and in paragraph 2.

At the end of the consultations or on expiry of the period of 30 days, and if no other arrangement proves possible, the Commission, after consulting the committee, may

take appropriate measures to implement Articles 24 and 25 of the Agreement.

4. The decision referred to in paragraph 3 shall be notified forthwith to the Council, the Member States and the Republic of Hungary. It shall also be notified to the Joint Committee.

It shall be immediately applicable.

5. Any Member State may refer the Commission decision referred to in paragraph 3 to the Council within 10 working days of receiving notification of the decision.

6. If the Commission has not taken a decision within the meaning of paragraph 3 second subparagraph within 10 working days following the end of the consultations with the Joint Committee or, as the case may be, the end of the period of 30 days, any Member State which has referred the matter to the Commission in accordance with paragraph 2 may refer it to the Council.

7. In the case referred to in paragraph 5 the Council, acting by a qualified majority, may, within one month, ask the Commission to adopt different safeguard measures, and in the case mentioned in paragraph 6, ask the Commission to take measures.

Article 5

1. Where exceptional circumstances arise within the meaning of Article 27 (3) (d) of the Agreement, the Commission may take immediate safeguard measures in the cases referred to in Articles 24 and 25 of the Agreement.

2. If the Commission receives a request from a Member State it shall take a decision thereon within five working days following receipt of the request.

It shall notify the Council and the Member States of its decision.

3. Any Member State may refer the Commission's decision to the Council in accordance with the procedure provided for in Article 4 (5) of this Decision.

The procedure set out in Article 4 (5) to (7) shall be applicable.

If the Commission has not taken a decision within the time limit mentioned in paragraph 2, any Member State which has referred the matter to the Commission may refer it to the Council in accordance with the procedure laid down in the preceding subparagraphs.

Article 6

Notification to the Joint Committee by the Community as required by the Agreement shall be the responsibility of the Commission.

Article 7

This Decision shall enter into force on 1 March 1992.

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

Done at Brussels, 28 February 1992.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION No 524/92/ECSC

of 28 February 1992

on certain modalities for the application of the Interim Agreement on trade and trade related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Czech and Slovak Federal Republic of the other part

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 74 and 95, first subparagraph thereof,

Whereas an interim agreement on trade and trade related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Czech and Slovak Federal Republic of the other part ('the Agreement') was signed in Brussels on 16 December 1991;

Whereas it is necessary to lay down the modalities for the implementation of certain provisions of the Agreement and in particular those contained in Protocol 2 applicable to coal and steel products;

Whereas such modalities have been laid down for the European Economic Community by Council Regulation (EEC) No 520/92 of 27 February 1992 on certain modalities for the application of the Interim Agreement on trade and trade related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Czech and Slovak Federal Republic of the other part⁽¹⁾;

Whereas, as regards measures of commercial protection it is necessary to lay down the specific provisions concerning the general rules set out in Commission Decision No 2424/88/ECSC of 29 July 1988 on protection against dumped or subsidized imports from third countries not members of the European Coal and Steel Community⁽²⁾ where the Agreement makes this necessary;

Whereas account should be taken of the undertakings set out in the Agreement when examining whether a safeguard measure should be introduced;

Whereas it is appropriate to make sure that the rules for the application of the Agreement should be similar for both the European Economic Community and the European Coal and Steel Community;

Whereas certain actions go beyond the powers of action provided for in the Treaty and it is therefore necessary in this case to refer to the provisions of Article 95, after consultation with the consultative committee and with the unanimous assent of the Council,

Article 1

The Commission may, with the assent of the Council, decide to make a reference to the Joint Committee established by the Agreement concerning the measures provided for in Article 22 and Article 44 (2) of the Agreement. Where necessary, the Commission shall adopt these measures in accordance with the same procedure.

The Commission may take the decisions to this end on its own initiative or at the request of a Member State.

Article 2

1. In the case of a practice that may justify application by the Community of the measures provided for in Article 8 of Protocol 2 to the Agreement, the Commission, after examining the case on its own initiative or at the request of a Member State, shall decide whether such practice is compatible with the Agreement. Where necessary, it shall, with the assent of the Council, adopt safeguard measures, except in the case of public aids to which Decision No 2424/88/ECSC applies, which latter measures shall be taken according to the procedures laid down in that Decision. Such measures shall be taken under the conditions provided for in Article 8 of Protocol 2 to the Agreement.

2. In the case of a practice that may cause safeguard measures to be applied by the Czech and Slovak Federal Republic against the Community on the basis of Article 8 of Protocol 2 to the Agreement, the Commission, after examining the case, shall decide whether the practice is compatible with the principles set out in the Agreement. Where necessary, it shall take appropriate decisions on the basis of the criteria laid down in Articles 65 and 66 of the ECSC Treaty, Article 85 of the Treaty establishing the European Economic Community, and on the basis of the rules applicable to State aids, including secondary legislation.

Article 3

In the case of dumping practices liable to warrant the application by the Community of the measures provided for in Article 23 of the Agreement, the introduction of anti-dumping measures shall be decided upon in

⁽¹⁾ See page 9 of this Official Journal.

⁽²⁾ OJ No L 209, 2. 8. 1988, p. 18.

accordance with the procedures laid down in Decision No 2424/88/ECSC and the procedure provided for in Articles 27 (2) and 27 (3) (b) or (d) of the Agreement.

Article 4

1. Where a Member State requests the Commission to apply safeguard measures as provided for in Articles 24 or 25 of the Agreement, and if the Commission decides not to apply them, the Commission shall inform the Council and the Member States accordingly within five working days of receipt of the request from the Member State.

Member States shall provide the Commission with the information needed to justify their requests to apply safeguard measures.

Any Member State may refer the decision of the Commission to the Council within 10 working days of its notification.

If the Council, acting by the qualified majority referred to in Article 28 (4) of the Treaty, indicates its intention to request a different decision, the Commission shall inform the Czech and Slovak Federal Republic without delay and shall inform it of the opening of the consultations within the Joint Committee as provided for in Article 27 (2) and (3) of the Agreement.

The Council, acting by qualified majority, may ask the Commission, within one month after the conclusion of the consultations with the Czech and Slovak Federal Republic within that Joint Committee, to adopt safeguard measures.

2. Where the Commission, at the request of a Member State or on its own initiative, decides that the safeguard measures provided for in Articles 24 or 25 of the Agreement should be applied:

- it shall inform the Member State forthwith or, if it is responding to a Member State's request, within five working days of the date of receipt of that request,
- it shall consult the committee mentioned in Article 5 (2) of Council Regulation (EEC) No 520/92 (hereinafter referred to as 'the committee'),
- at the same time it shall inform the Czech and Slovak Federal Republic and notify the Joint Committee of the opening of consultations as referred to in Article 27 (2) and (3) of the Agreement,
- at the same time it shall provide the Joint Committee with all the information necessary for these consultations.

3. In any event, the consultations within the Joint Committee shall be deemed to be completed 30 days after the notification referred to in the fourth subparagraph of paragraph 1 and in paragraph 2.

At the end of the consultations or on expiry of the period of 30 days, and if no other arrangement proves possible, the Commission, after consulting the committee, may

take appropriate measures to implement Articles 24 and 25 of the Agreement.

4. The decision referred to in paragraph 3 shall be notified forthwith to the Council, the Member States and the Czech and Slovak Federal Republic. It shall also be notified to the Joint Committee.

It shall be immediately applicable.

5. Any Member State may refer the Commission decision referred to in paragraph 3 to the Council within 10 working days of receiving notification of the decision.

6. If the Commission has not taken a decision within the meaning of paragraph 3 second subparagraph within 10 working days following the end of the consultations with the Joint Committee or, as the case may be, the end of the period of 30 days, any Member State which has referred the matter to the Commission in accordance with paragraph 2 may refer it to the Council.

7. In the case referred to in paragraph 5 the Council, acting by a qualified majority, may, within one month, ask the Commission to adopt different safeguard measures, and in the case mentioned in paragraph 6, ask the Commission to take measures.

Article 5

1. Where exceptional circumstances arise within the meaning of Article 27 (3) (d) of the Agreement, the Commission may take immediate safeguard measures in the cases referred to in Articles 24 and 25 of the Agreement.

2. If the Commission receives a request from a Member State it shall take a decision thereon within five working days following receipt of the request.

It shall notify the Council and the Member States of its decision.

3. Any Member State may refer the Commission's decision to the Council in accordance with the procedure provided for in Article 4 (5) of this Decision.

The procedure set out in Article 4 (5) to (7) shall be applicable.

If the Commission has not taken a decision within the time limit mentioned in paragraph 2, any Member State which has referred the matter to the Commission may refer it to the Council in accordance with the procedure laid down in the preceding subparagraphs.

Article 6

Notification to the Joint Committee by the Community as required by the Agreement shall be the responsibility of the Commission.

Article 7

This Decision shall enter into force on 1 March 1992.

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

Done at Brussels, 28 February 1992.

For the Commission

Frans ANDRIESEN

Vice-President
