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COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 698 final

Brussels, 11th November 1980

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REF & EXCHANGE

DRAFT FOR A COUNCIL REGULATION (EEC)
 OPENING, ALLOCATING AND PROVIDING FOR THE ADMINISTRATION OF A
 COMMUNITY TARIFF QUOTA FOR DRIED GRAPES IN IMMEDIATE CONTAINERS
 OF A NET CAPACITY OF 15 KILOGRAMS OR LESS FALLING WITHIN SUBHEADING
 08.04 B I OF THE COMMON CUSTOMS TARIFF (1981)

(presented by the Commission to the Council)

COM(80) 698 final

EXPLANATORY MEMORANDUM

1. The draft Regulation annexed hereto concerns the orga omnes Community tariff quota to be opened for 1981 in respect of dried grapes in immediate containers of a net capacity of 15 kg or less falling within subheading No 08.04 B 1 of the Common Customs Tariff.

Provision was first made for such quota in the trade agreement concluded between the Community and Iran. Since, however, that agreement expired on 30 November 1973 and was not renewed, the Community considered it desirable since 1974 to open an autonomous tariff quota on the terms and conditions fixed for that agreement.

At the consultation meeting held in May 1980, the majority of the delegations of the Member States pronounced themselves in favour of the opening for the year 1981 of an autonomous tariff quota at a duty of 1.2 % of which the amount is limited to 15 % of actual Community imports in 1973, coming from third countries not associated with the Community nor linked with it by a preferential agreement.

2. Since the Community tariff quota in question is relatively small compared with total imports into the Community and since all the Member States will undoubtedly exhaust their shares rapidly, a division of the quota into shares allocated definitively to each Member State would not appear to compromise the Community nature of the quota. This solution has been adopted in similar situations in the past.
3. The shares to be allocated on this basis to the Member States, and their respective total 1973 imports from non-associated third countries, are shown in the following table ; it being understood that, to safeguard the Community character of the quota, it is necessary to allocate a share to Greece by removing an equivalent amount from the shares of the other Member States.

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(in metric tons)

	<u>Total 1973 imports</u>	<u>Quota share</u>
Benelux	5 275	790
Denmark	2 236	334
Germany	15 567	2 334
Greece	0	7
France	3 811	571
Ireland	1 868	279
Italy	205	30
United Kingdom	26 859	4 028
	<u>55 821</u>	<u>8 373</u>

DRAFT FOR A
COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of a Community tariff quota for dried grapes in immediate containers of a net capacity of 15 kilograms or less falling within subheading 08.04 B I of the Common Customs Tariff (1981)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission,

Whereas a Community tariff quota for dried grapes in immediate containers of a net capacity of 15 kilograms or less, falling within subheading 08.04 B I of the Common Customs Tariff, should be opened for 1981 at a duty of 1.2 % the volume of which shall be limited to 15 % of Community imports in 1973 from third countries not associated with the Community or linked to it by a preferential agreement; whereas, on this basis, the volume of the quota is fixed at 8 373 tonnes;

Whereas, in view of the negligible size of such a quota in comparison with the Community's requirements, a system of utilization should, without derogating from the Community nature of the tariff quota, be provided, based on a single allocation between the Member States; whereas this allocation should be calculated by the same method as is used to establish a total quota of 15 % of the imports of each Member State from the same third countries; whereas, in order to safeguard the Community nature of the quota, a share should be allocated to Greece by levying the same percentage on the share allocated to each of the other Member States; whereas, calculated in such a manner, this allocation should be as set out in Article 2;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 January to 31 December 1981 a Community tariff quota of 8 373 tonnes shall be opened for dried grapes in immediate containers of a net capacity of 15 kilograms or less falling within subheading 08.04 B I of the Common Customs Tariff.

2. Within the limits of this tariff quota, the Common Customs Tariff duty shall be suspended at the level of 1.2 %.

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

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

Article 2

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

	tonnes
Benelux	790
Denmark	334
Germany	2 334
Greece	7
France	571
Ireland	279
Italy	30
United Kingdom	4 028

Article 3

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

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2. The extent to which a Member State has used up its share shall be determined on the basis of the

imports of the product in question entered with the customs authorities for free circulation.

Article 4

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

Article 5

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

Article 6

This Regulation shall enter into force on 1 January 1981.

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

Done at Brussels,

For the Council

The President