



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 13.11.1995
COM(95) 544 final

Proposal for a

COUNCIL REGULATION (EC)

modifying Regulation (EC) 2878/94 opening and providing for the administration of Community tariff quota for certain agricultural and industrial products.

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Subsequent to requests made by various Member States, the Services of the Commission have examined, in conjunction with the Government experts concerned, the question of increasing in 1995 tariff quotas for various products.
2. Following this examination, which took place during the "Economic Tariff Questions" group meetings, it has been determined that the increasing of tariff quotas for the following products could have the agreement of the Member States without disturbing the markets for such products:

Ferro- Chromium containing by weight more than 6 % of carbon	150 000 T	at 0%
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Ferro- Chromium containing more than 1,5 % but no more than 4 % by weight of carbon and not more than 70 % of chromium	9 000 T	at 0%
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This is the aim of this proposal.

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modifying Regulation (EC) 2878/94 opening and providing for the administration of Community
tariff quota for certain agricultural and industrial products

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas production in the community of certain industrial products will remain in the course of 1995 unable to meet the specific requirements of the user industries in the Community; whereas, consequently, Community supplies of products of this type will depend to a considerable extent on imports from third countries; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms;

Whereas by Regulation (EC)n°2878/94¹ the Council opened, for 1995 Community tariff quotas for certain agricultural and industrial products, and in particular ferro-chromium containing by weight more than 6% of carbon (order N° 09.2711), and ferro-chromium containing more than 1,5 % but no more than 4 % by weight of carbon and not more than 70 % of chromium (order N° 09.2799);

Whereas by Regulation (EC) n° 1404/95², the Council increased for 1995 Community tariff quotas for ferro-chromium containing by weight more than 6% of carbon (order N° 09.2711);

Whereas current economic data suggests that the Community demand non-Community imports of the products in question could in the course of the year exceed the volumes laid down in the above Regulation, whereas the volume of the quota in question should therefore be increased;

Whereas it is necessary, in particular, to ensure for all Community importers equal uninterrupted access to the said quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all imports of the products concerned into all Member States until the quotas have been used up;

Whereas the decision for the opening of autonomous tariff quotas should be taken by the Community; whereas, to ensure the efficiency of a common administration of these quotas, there is no reasonable obstacle to authorising Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports;

Whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly,

HAS ADOPTED THIS REGULATION:

¹ O.J. n° L 304, 29.11.1994, p 1

² O.J. n° L 140, 23.06.1995, p. 1

Article 1

In the Regulation (EC) n° 2878/94 the table shown in Article 1 is replaced, for the order n° 09.2711 and 09.2799 by the following table

Order number	CN Code	TARIC Code	Description	Amount of quota	Quota duty (%)	End of quota period
09.2711	7202 41 91 72024199	-	Ferro-chromium containing by weight more than 6% of carbon	850 000 T	0	31.12.1995
09.2799	ex7202 49 90	*10	Ferro-chromium containing more than 1,5 % but no more than 4 % by weight of carbon and not more than 70 % of chromium	24 000 T	0	31.12.1995

Article 2

This regulation shall enter into force on the 3rd day following its publication in the Official Journal of the European Communities.

It shall be apply from 1 January 1995.

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

Done at Brussels,

*For the Council
The President*

FINANCIAL RECORD

1. Budget line concerned : Chap. 12 Art. 120
2. Legal basis : Art. 28 of the Treaty
3. Title of the tariff measure concerned : Proposal for a Council Regulation modifying Regulation (EC) 2878/94 opening and providing for the administration of Community tariff quota for certain agricultural and industrial products.
4. Objective : To ensure an adequate supply for Community user-industries.
5. Method of calculation :

Description	additional Quantities	Price Ecus/unit	Normal rate (%)	Quota duty (%)	Duty loss (Ecus)
Ferro-chromium containing by weight more than	150 000 T	1478	7,2	0	15 962 400
Ferro-chromium containing more than 1,5 % but than 70 % of chromium	9 000 T	1 416	7,8	0	994 032

Total duty loss: 16 956 432 Ecus.

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DOCUMENTS

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