



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 04.12.1996  
COM(96) 552 final

96/ 0303 (ACC)

Proposal for a  
COUNCIL REGULATION (EC)

opening a Community tariff quota for barley for malting falling within CN code 1003 00

(presented by the Commission)



## Explanatory Memorandum

An Agreement was signed with the United States of America, in the context of the conclusion of the GATT Article XXIV.6 negotiations, concerning EC's import regime for cereals and rice. According to the terms of that Agreement

"The United States and the European Community agree that in the first quarter of 1996 and subsequently at the request of either party, the United States Government and the Commission of the European Communities shall review the functioning of the "representative price" system for cereals and rice. If it appears to either party that the functioning of the system is materially impeding trade flows between the parties, the Commission in consultation with the United States Government shall promptly examine the problems identified with a view to implementing appropriate solutions".

Such problems have been identified for barley for malting, and it is therefore proposed to open a tariff quota of 30,000 tonnes for the remainder of 1996.

## COUNCIL REGULATION

of

opening a Community tariff quota for barley for malting falling within CN code 1003 00

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas the Community has undertaken, in the conclusion of the GATT Article XXIV:6 negotiations, to examine problems identified if the functioning of the "representative price" system for cereals appears to be impeding trade; whereas certain consignments of barley for malting have been subject to impediment;

Whereas in order to remedy such impediment a Community tariff quota for barley for malting falling within CN code 1003 00, should be opened for the remainder of 1996;

Whereas detailed rules for the application of this Regulation should be adopted pursuant to Article 23 of Regulation (EEC) N° 1766/92 of 30 June 1992 on the common organisation of the market in cereals <sup>1</sup>, as last amended by Commission Regulation (EC) N° 923/96 <sup>2</sup>.

HAS ADOPTED THIS REGULATION:

### *Article 1*

1. A Community tariff quota of 30.000 tonnes for high graded barley falling within CN code 1003 00 and intended for the production of malt to be used for the manufacture of certain beer aged in tanks containing beachwood is hereby opened for the period until 31 December 1996.
2. The common customs tariff duty applicable to the quota shall be 50% of the full rate of duty in force, without abatement, on the day of import.

### *Article 2*

The Commission shall adopt detailed rules for the application of this Regulation in accordance with the procedure laid down in Article 23 of Regulation (EEC) N° 1766/92, and in particular:

- i) provisions to guarantee the nature of the barley and its provenance;

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<sup>1</sup> OJ N° L 181, 1.7.1992, p. 21.

<sup>2</sup> OJ N° L 126, 24.5.1996, p. 37.

- ii) provisions concerning recognition of the document enabling the guarantee referred to in i) to be verified,
- iii) provisions to ensure that the barley is used for the production of malt for the manufacture of beer.

*Article 3*

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

It shall apply from 1 June 1996.

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

Done at Brussels,

# FINANCIAL STATEMENT

Date: 25 September 1996

1. BUDGET HEADING: 1000 APPROPRIATIONS: ECU 864 million

2. TITLE : Proposal for a Council Regulation opening a Community tariff quota for barley for malting falling within CN code 1003 00

3. LEGAL BASIS: Article 113 of the Treaty

4. AIMS: To open a tariff quota for 30 000 tonnes of barley for malting until 31 December 1996

5. FINANCIAL IMPLICATIONS:	PERIOD OF 12 MONTHS (ECU million)	CURRENT FINANCIAL YEAR (96) (ECU million)	FOLLOWING FINANCIAL YEAR (97) (ECU million)
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5.0. EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTION) - NATIONAL AUTHORITIES - OTHER			
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5.1. REVENUE - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL		+ 1.3	
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	1998	1999	2000	2001
5.0.1 ESTIMATED EXPENDITURE				
5.1.1 ESTIMATED REVENUE				

5.2. METHOD OF CALCULATION:  
The full rate in force at present for barley for malting is ECU 84.5/t.  
A reduced rate of 50% applies to the quota.  
The revenue in own resources is therefore: 30 000 t x ECU 84.5/t x 0.5 = ECU 1.3 million.

6.0. CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET? YES/NO

6.1. CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET? YES/NO

6.2. WILL A SUPPLEMENTARY BUDGET BE NECESSARY? YES/NO

6.3. WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY? YES/NO

OBSERVATIONS



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