

ASSOCIATION

between the European Economic Community
and Malta

COLLECTED ACTS

SECRETARIAT OF THE COUNCIL
OF THE EUROPEAN COMMUNITIES

The updating of the Collected Acts EEC-MALTA Association will be completed as soon as the translations of acts adopted before 1973 are made available.

Collected Acts

EEC - MALTA ASS.

31 décembre 1983

Information, Publications,
Documentation

NOTE D'INFORMATION

aux destinataires des Recueils d'Actes :

- Association CEE-CHYPRE
- Association CEE-MALTE
- Association CEE-TURQUIE
- Coopération CEE-ALGERIE
- Coopération CEE-MAROC
- Coopération CEE-TUNISIE
- Coopération CEE-EGYPTE
- Coopération CEE-JORDANIE
- Coopération CEE-SYRIE
- Coopération CEE-LIBAN
- Coopération CEE-ISRAEL

A partir de l'édition 1984 cette publication - tout en maintenant le contenu habituel - changera de périodicité, de format et de présentation.

Afin de répondre à une exigence de praticité et en tenant compte des sollicitations d'un certain nombre de lecteurs, les Recueils d'Actes paraîtront à l'avenir sous forme de brochure, en format A5 et avec périodicité annuelle. Deux publications sont prévues, regroupant respectivement les actes relatifs aux Associations et aux Coopérations.

Directions for use

1. Acts listed in the Compilation

The Compilation of Acts pertaining to the "Association between the European Economic Community and Malta" contains in addition to the text of the Association Agreement signed at Valletta on 5 December 1970, all the acts adopted pursuant to this Agreement by the various Institutions of the Association between the European Economic Community (EEC) and Malta as well as the acts adopted by the EEC with regard to Malta.

Certain acts of the Institutions of the Association between the EEC and Malta have not been included because of their nature. This is the case for budgets, acts of a personal nature (for example appointments), etc...

2. General Structure of the Compilation

The acts are classified in 3 basic series with the following abbreviations and titles in order of classification :

GEN - General matters

INST - Institutional problems

GOODS - Free movement of goods.

Each series of acts is separated from the others by a guide card with the abbreviated title of the series indicated on the tab.

Each series of acts is sub-divided under headings numbered in Roman numerals; the list of these headings appears on the 1st page of each series.

Under each heading the acts appearing in the Compilation are classified in the chronological order of the dates of adoption of the acts.

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General table of the series and headings in the Compilation
"Association between the European Economic Community
and Malta

Series	Headings
General matters (GEN)	I - Association Agreement and Related texts II - Provisions within the Community relating to the Association Agreement
Institutional Questions (INST)	I - Acts of the Association Council
Free movement of goods (GOODS)	I - Acts of the Association Council II - Provisions within the EEC

3. Pagination

In order that new acts be added at any time, the Compilation is arranged in loose-leaf form.

Heading each page there is a reference composed of the following elements : an abbreviation indicating the series, a Roman numeral indicating the heading and consecutive Arabic numerals indicating the pages under each heading.

Example : INST I 10

INST indicates that it concerns the "Institutional Questions" series;

I indicates that it concerns the heading "Act of the Association Council";

10 indicates that it concerns page 10.

When it becomes necessary to amend a page after an alteration has been made, a replacement leaf will be supplied. This will be marked at the bottom right-hand corner so that it may be distinguished from the page to be removed which appeared previously in the collection. Example : if "No 2" and "31.8.1973" are written on the page, this means that the previous leaf has been replaced by a second leaf on 31.8.1973.

References to show that an act is related to another are given in foot-note form.

4. Tables

At the beginning of each heading in the Compilation there is a table listing the titles of the acts recorded in it. It will be brought up to date at regular intervals.

In addition to this compilation, there are also the
Collected Acts :

Co-operation between the EEC and the People's Democratic
Republic of Algeria,

Co-operation between the EEC and the Arab Republic of Egypt,

Co-operation between the EEC and the State of Israel,

Co-operation between the EEC and the Hashemite Kingdom of Jordan

Co-operation between the EEC and the Lebanese Republic,

Co-operation between the EEC and the Kingdom of Morocco

Co-operation between the EEC and the Syrian Arab Republic,

Co-operation between the EEC and the Republic of Tunisia,

the Collected Acts :

Association between the EEC and the Republic of Cyprus,

Association between the EEC and Greece (until 31.12.1980),

Association between the EEC and Turkey,

as well as the Collected Acts pertaining to the

ACP-EEC Convention of Lomé

and the acts concerning the OCT/POD.

General matters

Contents :

- I - Association Agreement and Related texts
- II - Provisions within the Community relating to the Association Agreement

I. Association Agreement and Related Text

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AGREEMENT
ESTABLISHING AN ASSOCIATION
BETWEEN THE
EUROPEAN ECONOMIC COMMUNITY
AND
MALTA

THE COUNCIL OF THE EUROPEAN COMMUNITIES, of the one part, and

THE GOVERNMENT OF MALTA, of the other part,

DETERMINED to consolidate and to extend the economic and commercial relations existing between the European Economic Community and Malta,

AWARE of the importance of the harmonious development of trade between the Contracting Parties,

WHEREAS, while observing the provisions of the General Agreement on Tariffs and Trade, the object of this Agreement is the progressive elimination of obstacles to trade between the European Economic Community and Malta, and whereas it provides that, eighteen months before the expiry of the first stage, negotiations may be opened with a view to determining the conditions under which a customs union between the Community and Malta could be established,

HAVE DECIDED to conclude an Agreement establishing an Association between the European Economic Community and Malta, in accordance with Article 238 of the Treaty establishing the European Economic Community, and to this end have designated as Plenipotentiaries :

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Mr. Sigismund von BRAUN,
President in Office of the Council
of the European Communities;

Mr. Franco Maria Malfatti,
President of the Commission
of the European Communities;

THE GOVERNMENT OF MALTA:

Dr. Giorgio BORG OLIVIER,
Minister of Commonwealth and
Foreign Affairs;

WHO, having exchanged their Full Powers, found in
good and due form,

HAVE AGREED UPON THE FOLLOWING PROVISIONS:

ARTICLE 1

By this Agreement, an Association is established between the European Economic Community and Malta.

ARTICLE 2

1. The aim of the Agreement is progressively to eliminate obstacles as regards the main body of trade between the European Economic Community and Malta and thus to contribute to the development of international trade.
2. The Agreement provides for two successive stages, the first being of five years' duration and the second, in principle, of five years.
3. Negotiations are provided for during the eighteen months preceding the expiry of the first stage, with a view to defining the content of the second stage, providing for a further elimination of obstacles to trade between the European Economic Community and Malta and the adoption by Malta of the Common Customs Tariff.
4. The first stage shall be governed by the provisions set forth hereinafter.

TITLE I

TRADE

ARTICLE 3

1. Products originating in Malta, shall, on importation into the Community, benefit from the provisions set forth in Annex I.
2. Products originating in the Community shall, on importation into Malta, benefit from the provisions set forth in Annex II.
3. The Contracting Parties shall take all appropriate measures, whether general or particular, to ensure fulfilment of the obligations arising out of the Agreement.

They shall refrain from any measure likely to jeopardise the achievement of the aims of the Agreement.

ARTICLE 4

Any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, a discrimination between the products of one Contracting Party and like products originating in the other Contracting Party shall be forbidden.

ARTICLE 5

The rules governing trade applied by Malta to products originating in or exported to the Community may not give rise to any discrimination between the Member States, or between nationals or companies of these States.

The rules governing trade applied by the Community to products originating in or exported to Malta may not give rise to any discrimination between Maltese nationals or companies.

ARTICLE 6

To the extent that export duties are levied on products of one Contracting Party exported to the other Contracting Party, such duties shall not be higher than those applicable to products exported to the most favoured third country.

ARTICLE 7

The provisions set forth in the Protocol shall determine the rules of origin to be applied to the products covered by the Agreement.

ARTICLE 8

1. If one of the Contracting Parties finds that dumping is being practised in its relations with the other Contracting Party, it may, following consultations within the Council of Association, have recourse to protective measures against such practices, in accordance with the provisions of the Agreement relating to the application of Article VI of the General Agreement on Tariffs and Trade.

In case of urgency, such Contracting Party may, after having informed the Council of Association, take the provisional measures provided for in the said Agreement. Consultations shall be held on such measures not later than two weeks after their implementation.

2. In the event of measures being taken against drawbacks and subsidies, the Contracting Parties undertake to comply with the provisions of Article VI of the General Agreement on Tariffs and Trade.
3. Any dumping practices, drawbacks or subsidies which have been ascertained, and any measures taken against them, shall, at the request of one of the Contracting Parties, give rise to consultations within the Council of Association at three-monthly intervals.

ARTICLE 9

Payments relating to trade in goods, and the transfer of such payments to the Member State in which the creditor is resident, or to Malta, shall be free from any restrictions, to the extent that such transactions fall within the provisions of this Agreement.

ARTICLE 10

1. If serious disturbances occur in a sector of Malta's economic activity or jeopardise its external financial stability, or if difficulties arise which result in the deterioration of the economic situation of any area of Malta, Malta may take the necessary safeguard measures.

Such measures and the procedures for applying them shall be notified to the Council of Association without delay.

2. If serious disturbances occur in a sector of the economic activity of the Community or of one or more of its Member States, or jeopardise their external financial stability, or if difficulties arise which result in the deterioration of the economic situation of any area of the Community, the Community may take, or may authorise the Member State or States concerned to take, the necessary safeguard measures.

Such measures and the procedures for applying them shall be notified to the Council of Association without delay.

3. For the purpose of implementing paragraphs 1 and 2 above, the measures selected must, as a matter of priority, be such as would least disturb the functioning of the regime established by this Agreement. Such measures shall not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen.
4. Consultations may be held within the Council of Association concerning measures taken pursuant to paragraphs 1 and 2.

ARTICLE 11

The provisions of this Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy, public security, the protection of health and life of humans, animals or plants, the protection of national treasures possessing artistic, historic, or archaeological value, or the protection of industrial or commercial property. However, such prohibitions or restrictions shall not constitute a means of arbitrary discrimination or a disguised restriction on trade.

TITLE II

GENERAL AND FINAL PROVISIONS

ARTICLE 12

1. A Council of Association is hereby established, which shall be responsible for the administration of this Agreement and shall supervise its implementation. For this purpose, it shall make recommendations, and shall take decisions in the cases provided for under Title II.
2. The Contracting Parties shall keep each other informed and, at the request of either Party, shall hold consultations within the Council of Association with a view to the proper implementation of this Agreement.
3. The Council of Association shall lay down its rules of procedure in a Decision.

ARTICLE 13

1. The Council of Association shall consist of the members of the Council and members of the Commission of the European Communities, on the one hand, and of members of the Government of Malta, on the other.

Members of the Council of Association may arrange to be represented, in accordance with the conditions to be laid down in the rules of procedure.

2. The Council of Association shall take its decisions by common agreement.

ARTICLE 14

1. The Council of Association shall be presided in turn by each of the Contracting Parties, in accordance with the provisions to be adopted in the rules of procedure of the Council of Association.
2. Meetings of the Council of Association shall be convened once a year by its President.

The Council of Association shall, in addition, meet whenever circumstances so require, at the request of either of the Contracting Parties, in accordance with the conditions to be laid down in its rules of procedure.

3. The Council of Association may decide to set up any committee that can assist it in the discharge of its tasks.

In its rules of procedure, the Council of Association shall determine the composition and duties of such committees and how they shall function.

ARTICLE 15

This Agreement may be denounced by either Contracting Party, subject to six months' notice in advance being given.

ARTICLE 16

1. This Agreement shall apply on the one hand, to the European territories to which the Treaty establishing the European Economic Community applies, and, on the other hand, to the territory of the Maltese Islands.
2. The Agreement shall also apply to the French Overseas Departments in the sectors of this Agreement corresponding to those mentioned in Article 227 (2), first paragraph, of the Treaty establishing the European Economic Community.

The conditions governing the application to the said Departments of the provisions of this Agreement relating to other sectors, shall be determined at a later date by agreement between the Contracting Parties.

ARTICLE 17

Annexes I and II and the Protocol shall form an integral part of this Agreement.

ARTICLE 18

This Agreement shall come into force on the first day of the month following the date on which the Contracting Parties have notified each other that the necessary procedures to this end have been completed.

ARTICLE 19

This Agreement is drawn up in duplicate, in the German, French, Italian, Dutch and English languages, each of these texts being equally authentic.

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent Accord.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente Accordo.

TEN BLIJKE WAARVAN de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

Geschehen zu Valletta am fünften Dezember neunzehnhundertsiebzig.

Fait à La Valette, le cinq décembre mil neuf cent soixante-dix.

Fatto a La Valletta, il cinque dicembre millenovecentosettanta.

Gedaan te Valletta, de vijfde december negentienhonderdzeventig.

Done at Valletta on this fifth day of December in the year one thousand nine hundred and seventy.

Im Namen des Rates der Europäischen Gemeinschaften,
Pour le Conseil des Communautés Européennes,
Per il Consiglio delle Comunità Europee,
Voor de Raad der Europese Gemeenschappen,
For the Council of the European Communities,

Sigismund von BRAUN

Franco Maria Malfatti

Mit dem Vorbehalt, dass für die Europäische Wirtschaftsgemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie der anderen Vertragspartei notifiziert hat, dass die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren, namentlich die Anhörung des Europäischen Parlaments, stattgefunden haben.

Sous réserve que la Communauté Economique Européenne ne sera définitivement engagée qu'après notification à l'autre Partie contractante de l'accomplissement des procédures requises par le Traité instituant la Communauté Economique Européenne et notamment la consultation de l'Assemblée.

Con riserva che la Comunità Economica Europea sarà definitivamente vincolata soltanto dopo la notifica all'altra Parte contraente dell'espletamento delle procedure richieste dal Trattato che istituisce la Comunità Economica Europea e, in particolare, dell'avvenuta consultazione del Parlamento Europeo.

Onder voorbehoud dat de Europese Economische Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstsluitende Partij van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures, met name van de raadpleging van het Europese Parlement.

Provided that the Community shall be finally bound only after the other Contracting Party has been notified that the procedures required by the Treaty establishing the European Economic Community, and, in particular, consultation of the European Parliament, have been completed.

Im Namen der Regierung Maltas,
Pour le Gouvernement de Malte,
Per il Governo di Malta,
Voor de Regering van Malta,
For the Government of Malta,

Giorgio BORG OLIVIER

ANNEX I

IMPLEMENTATION OF ARTICLE 3 (1) OF THE AGREEMENT

ARTICLE 1

Subject to the special provisions laid down in Article 2, the customs duties applicable on importation into the Community of products originating in Malta, other than those falling under Annex II of the Treaty establishing the European Economic Community and other than those mentioned in Lists A and B, of this Annex, shall be those of the common customs tariff reduced by 70%.

ARTICLE 2

Within the limits of annual Community tariff quotas, the products listed below, originating in Malta, shall, on importation into the Community, benefit from the reductions in customs duties provided for in Article 1.

CCT Heading	Description of goods	Annual Community tariff quota
55.05	Cotton yarn, not put up for retail sale	750 tons
56.04	Man-made fibres, (discontinuous or waste), carded, combed or otherwise prepared for spinning	600 tons
60.05	Outer garments, clothing accessories and other articles, knitted or crocheted, not elastic nor rubberised	100 tons
61.01	Men's and boy's outer garments	300 tons

ARTICLE 3

- Without prejudice to the levying of a variable element, determined in accordance with Articles 6 and 7 of Regulation (EEC) No. 1059/69 laying down the trading arrangements applying to certain goods obtained from the processing of agricultural products, the fixed element levied on importation into the Community of products listed below which originate in Malta shall be reduced by 70% :

CCT Heading	Description of goods
19.03	Macaroni, spaghetti and similar products
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion

- The provisions of paragraph 1 above shall be applied in accordance with the terms set out in Article 4.

ARTICLE 4

1. The rates of the common customs tariff duties to be taken into consideration for calculating the reduced duties mentioned in Articles 1 and 2 shall be those effectively applied at any given time vis-à-vis third States.
2. The reduced duties, calculated in accordance with the provisions of Articles 1 and 2 shall be applied by approximating to the first lowest decimal point.

ARTICLE 5

Products referred to in Articles 1 and 2, and originating in Malta, shall not, on importation into the Community, be subject to taxes having an effect equivalent to customs duties.

ARTICLE 6

Should the date of entry into force of the Agreement not coincide with the beginning of the calendar year, the quotas referred to in Article 2 shall be applied "prorata temporis" :

- (i) for the first year, as from the date on which the Agreement comes into force;
- (ii) for the last year, until the date on which the first stage expires.

ARTICLE 7

Products originating in Malta referred to in this Annex, including products mentioned in List A, may be imported into the Community free of quantitative restrictions.

This provision shall be without prejudice to the rules governing the importation of petroleum products.

ARTICLE 8

In respect of products referred to in this Annex, other than those falling under Annex II of the Treaty establishing the European Economic Community, the Community reserves the right, particularly for the purpose of avoiding certain distortions of competition or the replacement of trade to amend the system provided for in this Annex, in the event of specific regulations being laid down as a consequence of the implementation of the common agricultural policy.

In adopting such regulations or amending this system, the Community shall take the interests of Malta into account. J

List A

relating to products imported into the Community under specific regulations as a consequence of the implementation of the common agricultural policy, and excluded from the treatment provided for in Article 1

CCT Heading	Description of Goods
17.02	<p>Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel :</p> <p>A. Lactose and lactose syrup :</p> <p style="padding-left: 2em;">I. containing in the dry state 99% or more by weight of pure product</p> <p>B. Glucose and glucose syrup :</p> <p style="padding-left: 2em;">I. containing in the dry state 99% or more by weight of pure product :</p> <p style="padding-left: 4em;">(a) Glucose in white crystalline powder, whether or not agglomerated</p> <p style="padding-left: 4em;">(b) Other</p>
ex 17.04	Sugar confectionery, not containing cocoa - excluding liquorice extract containing more than 10% by weight of sugar, but not containing other added substances
18.06	Chocolate and other food preparations containing cocoa
19.01	Malt extract
19.02	Preparations of flour; starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing sugar, honey, eggs, fats, cheese or fruit
ex 21.01	Roasted chicory and other roasted coffee substitutes; extracts, essences and concentrates thereof - excluding roasted chicory and extracts thereof
21.06	<p>Natural yeasts (active or inactive); prepared baking powders :</p> <p>A. Active natural yeasts :</p> <p style="padding-left: 2em;">II. Yeasts for making bread</p>
ex 21.07	Food preparations not elsewhere specified or included, containing sugar, milk products, cereals or cereal products (1)
<p>(1) The description of goods concerns only products which, on importation into the Community, are subject to the charges laid down in the Common Customs Tariff, consisting of: (a) an "ad valorem" duty, constituting the fixed element of such charge; (b) a variable element.</p>	

CCT Heading	Description of goods
ex 22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No. 20.07: - containing milk or milk fats
29.04	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives: C. Polyhydric alcohols: II. Mannitol III. Sorbitol
ex 35.01	Casein, caseinates and other casein derivatives;
35.02	Albumins, albuminates and other albumin derivatives: A. Albumins: II. Other: (a) ovo-albumin and lacto-albumin: 1. Dried (in sheets, flakes, crystals, powders, etc.) 2. Other
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries: A. Prepared glazings and prepared dressings: I. With a basis of starchy substances

List B

relating to Article 1

CCT Heading	Description of Goods
27.10	<p>Petroleum and shale oils, other than crude; preparations not elsewhere specified or included, containing not less than seventy per cent by weight of petroleum or shale oils, these oils being the basic constituents of the preparations:</p> <p>A. Light oils :</p> <p style="padding-left: 2em;">III. For other uses</p> <p>B. Medium oils :</p> <p style="padding-left: 2em;">III. For other uses</p> <p>C. Heavy oils :</p> <p style="padding-left: 2em;">I. Diesel oil :</p> <p style="padding-left: 4em;">(c) for other uses</p> <p style="padding-left: 2em;">II. Fuel oils:</p> <p style="padding-left: 4em;">(c) for other uses</p> <p style="padding-left: 2em;">III. Lubricating and other oils :</p> <p style="padding-left: 4em;">(c) for blending in accordance with the conditions set out in Additional Note 7 to Chapter 27</p> <p style="padding-left: 4em;">(d) for other uses</p>
27.11	<p>Petroleum gases and other gaseous hydrocarbons :</p> <p>A. Propane and butane :</p> <p style="padding-left: 2em;">III. For other uses</p>
27.12	<p>Petroleum jelly :</p> <p>A. Crude :</p> <p style="padding-left: 2em;">III. For other uses</p> <p>B. Other</p>
27.13	<p>Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral wax, whether or not coloured :</p> <p>B. Other</p> <p style="padding-left: 2em;">I. Crude :</p> <p style="padding-left: 4em;">(c) for other uses</p> <p style="padding-left: 2em;">II. Other</p>
27.14	<p>Petroleum bitumen, petroleum coke and other petroleum and shale oil residues :</p> <p>C. Other</p>
55.09	<p>Other woven fabrics of cotton</p>

ANNEX IIIMPLEMENTATION OF ARTICLE 3 (2) OF THE AGREEMENT

ARTICLE 1

The customs duties and taxes having equivalent effect applicable on the importation into Malta of products originating in the Community, other than those mentioned in Lists A and B to this Annex, shall be those of the Maltese customs tariff reduced by the following percentages and according to the following timetable :

<u>Timetable</u>	<u>Rate of Reduction</u>
On the date of entry into force of the Agreement	15%
As from the beginning of the third year	25%
As from the beginning of the fifth year	35%

ARTICLE 2

1. The tariff system applied by Malta to products originating in the Community may not be less favourable than that applied to products originating in the most favoured third state.
2. Until the end of the fourth year of the Agreement, the provisions of paragraph 1 shall not be applicable in respect of states granted preferential treatment by Malta at the time of entry into force of the Agreement.

However, the tariff measures taken by Malta shall not have the effect of increasing any preference enjoyed by the states referred to in the above sub-paragraph.

ARTICLE 3

1. The customs duties and taxes having equivalent effect applicable on the importation into Malta of products originating in the Community mentioned in List A shall be those of the Maltese customs tariff, reduced by the percentages and according to the timetable set out in Article 1, provided that such reductions do not exceed the number of points shown under each heading in relation to the Maltese general tariff.
2. For the products mentioned in List B, no tariff reduction shall be made during the first stage of the Agreement.

ARTICLE 4

1. The rates of duties of the Maltese customs tariff to be taken into consideration for the purpose of calculating the reduced duties referred to in Article 1 shall be those of the Maltese general tariff effectively applied at any given time vis-a-vis third States. The reduced duties shall be applied by approximating to the nearest lower decimal point.

2. In the event of the introduction or modification of customs duties in the Maltese Customs Tariff, or of taxes having equivalent effect, the reduction percentages granted to the Community pursuant to Article 1 shall remain unchanged.

ARTICLE 5

1. Without prejudice to the right of Malta to modify the duties in its customs tariff and the taxes having equivalent effect, and notwithstanding the provisions of Articles 1 and 4, and to the extent that protective measures prove necessary to meet the requirements of its industrialisation and development, Malta may re-introduce, increase, or establish customs duties. Such customs duties may not exceed a level of 20% ad valorem, and in certain special and exceptional cases, of 25% ad valorem. Such measures may only be applied to a maximum volume of 10% of the total value of Maltese imports from the Community during 1969.
2. Such measures may not be taken unless they are necessary to protect, and to further the development of, any new processing industry not existing in Malta at the time of entry into force of the Agreement; they shall only be applicable in respect of a specific form of production.

3. Twelve months after the re-introduction, increase or establishment of such customs duties, Malta shall proceed to an annual tariff reduction of 10% with regard to imports originating in the Community.
4. The measures referred to in paragraph 1 shall be taken after consultations within the Council of Association. Such consultations shall take place at the earliest possible opportunity.

ARTICLE 6

Malta shall refrain from introducing new quantitative restrictions on the importation of products originating in the Community.

This provision shall not affect the regulations applicable to the importation of petroleum products.

The treatment applied to the Community as regards quantitative restrictions shall be at least as favourable as that applied to the most favoured state.

ARTICLE 7

1. In respect of products referred to in this Annex other than those falling under Annex II of the Treaty establishing the European Economic Community, Malta reserves the right, particularly for the purpose of avoiding certain distortions of competition or the replacement of trade, to amend the system provided for in this Annex, in the event of specific regulations being laid down as a consequence of the implementation of its agricultural policy.

In adopting such regulations or amending this system, Malta shall take the interests of the Community into account.

2. In respect of products referred to in this Annex falling under Annex II of the Treaty establishing the European Economic Community, Malta reserves the right, in the event of the adoption of regulations, to amend the system provided for in this Annex.

In adopting such regulations or amending this system, Malta shall take the interests of the Community into account.

3. In respect of products referred to in this Annex falling under Annex II of the Treaty establishing the European Economic Community, Malta reserves the right, in the event of the amendment of its regulations, to amend the system provided for in this Annex.

In amending this system, Malta shall confer on imports originating in the Community a benefit comparable with that provided for in this Annex.

4. Consultations may take place within the Council of Association with a view to implementing the provisions of this Article.

List A

relating to paragraph 1 of Article 3

Maltese Tariff Heading (BTN)	Description of Goods	Reduction of the General Tariff expressed in number of points
17.05 (A)	Liquid soft drink concentrates	10
(B)	Dry soft drink concentrates	10
19.03	Macaroni, spaghetti and similar products	10
20.02 (B)	Peas and beans, preserved	10*
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallised)	10
20.06 (B)	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit, in airtight containers, other than roasted and salted nuts imported for repacking in Malta	10
20.07 (A)	Fruit juices, concentrated	10
21.07 (A)	Ice cream	10
(B) and (C)	Liquid and dry soft drink concentrates	10
22.01 (B)	Aerated waters	10
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No. 20.07	10
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: (A) Imported in casks or tanks: (1) not exceeding 15% of alcohol in 100 parts by volume of dutiable liquid at 20° centigrade (B) Imported in bottles: (1) Still (2) Sparkling	5/- per hectolitre 5/- per hectolitre 5/- per hectolitre
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts: (A) Imported in casks or tanks: (1) not exceeding 15% of alcohol in 100 parts by volume of dutiable liquid at 20° centigrade (B) Imported in bottles: (1) Still	5/- per hectolitre 5/- per hectolitre

Maltese Tariff Heading (BTN)	Description of Goods	Reduction of the General Tariff expressed in number of points
22.07 (B)	<p>Other fermented beverages (for example: cider, perry and mead):</p> <p>(A) Imported in casks or tanks:</p> <p>(1) Not exceeding 15% of alcohol in 100 parts by volume of dutiable liquid at 20° centigrade</p> <p>(B) Imported in bottles:</p> <p>(1) Still</p> <p>(2) Sparkling</p>	<p>5/- per hectolitre</p> <p>5/- per hectolitre</p> <p>5/- per hectolitre</p>
22.08 (B)	<p>Ethyl alcohol or neutral spirits, undenatured, of a strength of 80% or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength:</p> <p>Other</p>	<p>1/- per litre of alcohol content</p>
22.09	<p>Spirits (other than those of heading 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages:</p> <p>(A) not exceeding 20° underproof by Sykes hydrometer</p> <p>(B) exceeding 20° underproof but not exceeding the strength of proof (London Proof)</p> <p>(C) exceeding the strength of proof (London Proof)</p>	<p>1/- per litre</p> <p>1/- per litre</p> <p>1/- per proof litre</p>
24.01	Unmanufactured tobacco; tobacco refuse	6 d per kg
25.23	Portland cement, ciment fondu, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinker	4/- per 1000 kg
27.10	<p>Petroleum and shale oils, other than crude; preparations not elsewhere specified or included, containing not less than 70 per cent by weight of petroleum or shale oils, these oils being the basic constituents of the preparations:</p> <p>(A) Lubricating oils and greases regardless of density</p>	<p>14</p>
28.13 (A)	Carbon dioxide	2 d per kg net
33.06 (E)	Perfumery, cosmetics and toilet preparations:- Other	10
43.03	Articles of furskin	14
43.04	Artificial fur and articles made thereof	14
60.03 (A) (C)	<p>Women's stockings of man-made fibres in continuous filament</p> <p>Women's stockings of other material</p>	<p>14 *</p> <p>14 *</p>

Maltese Tariff Heading (BTN)	Description of Goods	Reduction of the General Tariff expressed in number of points
60.05 (A)	Cardigans, jackets, pullovers, sweaters and the like	14 *
61.01 (A)	Men's trousers, shorts, slacks and jeans	14 *
61.02	Women's, girls' and infants' outer garments	14 *
61.03 (A)(i)(1)	Men's shirts, collar attached	14 *
(A)(ii)	Boys' shirts	14 *
(B)	Pyjamas, men's and boys'	14 *
61.07 (A)	Ties	14 *
61.09 (A)	Brassieres	14 *
64.02	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No. 64.01) with outer soles of rubber or artificial plastic material: (A) With uppers of leather and soles of any material or with soles of leather or composition leather and uppers of other materials: (i) 20 cm in length or less (ii) 26 cm in length or less (iii) more than 26 cm in length	10 * 10 * 10 *
64.03	Footwear with outer soles of wood or cork: (A) Containing leather: (i) 20 cm in length or less (ii) 26 cm in length or less (iii) more than 26 cm in length	10 * 10 * 10 *
64.04	Footwear with outer soles of other materials: (A) Containing leather: (i) 20 cm in length or less (ii) 26 cm in length or less (iii) more than 26 cm in length	10 * 10 * 10 *
64.05	Parts of footwear (including uppers, insoles and screw-on heels) of any materials except metal (A) Uppers of leather	10

Maltese Tariff Heading (BTN)	Description of Goods	Reduction of the General Tariff expressed in number of points
71.01	Pearls, unworked or worked, but not mounted, set or strung (except ungraded pearls temporarily strung for convenience of transport)	15
71.02 (B)	Precious and semi-precious stones, unworked, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport):- Other	15
71.03 (B)	Synthetic or reconstructed precious or semi-precious stones, unworked, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport):- Other	15
71.12	Articles of jewellery and parts thereof, of precious metal or rolled precious metal	15
71.13	Articles of goldsmiths' or silver-smiths' wares and parts thereof, of precious metal or rolled precious metal, other than goods falling within heading No. 71.12	15
71.14	Other articles of precious metal or rolled precious metal	15
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)	15
83.13 (A)	Crown corks of base metal	14 *
84.12	Air conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air: (A) of the household type	5
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including those incorporating gramophones) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus (C) Other (1) Wireless sets (2) Radio gramophones (3) Television receivers (4) Other	5 5 5 5

Maltese Tariff Heading (BTN)	Description of Goods	Reduction of the General Tariff expressed in number of points
85.21	Thermionic, cold cathode and photocathode valves and tubes (including vapour or gas-filled valves and tubes, cathode ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photo-cells; crystal diodes, crystal triodes, and other crystal valves (e.g. transistors); mounted piezo-electric crystals: (B) Other	5
87.02 (B)	Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles, other than those of heading No. 87.09):- Other	15*
87.03 (B)	Special purpose motor lorries and vans, (such as breakdown lorries, fire engines, fire-escapes, snowploughs, spraying lorries, crane lorries, searchlight lorries, mobile workshops and mobile radiological units), but not including the motor vehicles of heading No. 87.02:- Other	15
87.04 (B)	Chassis fitted with engines for the motor vehicles falling within heading No. 87.01, 87.02 or 87.03	15
87.05	Bodies (including cabs) for the motor vehicles falling within heading No. 87.01, 87.02 or 87.03	15
89.01 (B)	Ships, boats and other vessels not falling within any of the following headings of this Chapter (89):- Other	14
91.01	Pocket-watches, wrist-watches and other watches, including stop-watches: (A) Gold, silver or platinum watches (including rolled or plated with such metals)	15
91.09	Watch cases and parts of watch cases, including blanks thereof: (A) Gold, silver or platinum (including rolled or plated with such metals)	15
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including record-players and tape-decks with or without sound heads	4
Chapter 93	Arms and ammunition; parts thereof	15
94.01 (C)	Other seats, including parts	15
94.03 (B)	Other furniture of wood, and parts thereof	15

Maltese Tariff Heading (BTN)	Description of Goods	Reduction of the General Tariff expressed in number of points
Chapter 95	Articles and manufactures of carving or moulding material	15
97.04	Equipment for parlour, table and funfair games for adults or children (including billiard tables and pintables and table- tennis requisites): (A) Coin or disc operated machines of the kinds used in cafes, Funfairs, etc., for games of skill or chance (e.g. pintables of various types) and machines for various games (football, revolver practice, etc.)	14
98.03	Fountain pens, stylograph pens and pencils (including ball point pens and pencils) and other pens, penholders, pencil holders, and similar holders, propelling pencils and sliding pencils; parts and fittings thereof, other than those falling within heading No. 98.04 or 98.05: (A) Made wholly of gold, silver or platinum or plated with such metals	15
98.14	Scent sprays and similar sprays of a kind used for toilet purposes, and mounts and heads therefore	14

* for the following headings, the reduction in the specific duty shall not in each case exceed :

20.02 (B)	: 12 sh. 6 d per 100 kg
60.03 (A)	: 4 d per pair
(C)	: 6 d per pair
60.05 (A)	: 8 d per piece
61.01 (A)	: 1 sh. 0 d per piece
61.02	: 8 d per piece
61.03 (A) (i)	(1): 1 sh. 5 d per piece
(A) (ii)	: 8 d per piece
(B)	: 8 d per piece
61.07 (A)	: 2 d per piece
61.09 (A)	: 3 d per piece
64.02 (A) (i)	: NIL
(ii)	: 2 sh. 6 d per pair
(iii)	: 2 sh. 6 d per pair
64.03 (A) (i)	: NIL
(ii)	: 2 sh. 6 d per pair
(iii)	: 2 sh. 6 d per pair
64.04 (A) (i)	: NIL
(ii)	: 2 sh. 6 d per pair
(iii)	: 2 sh. 6 d per pair
83.13 (A)	: 2 d per gross (the additional duty of 6 sh. per gross shall remain unchanged)
85.04 (B)	: 3 sh. per accumulator
87.02 (B)	: £30 sterling per passenger car, and £18 sterling per other vehicle.

List B

relating to paragraph 2 of Article 3

Maltese Tariff Heading	Description of Goods
02.01	Meat and edible offals of the animals falling within heading No. 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen
02.03	Poultry liver, fresh, chilled, frozen, salted or in brine
02.04	Other meat and edible meat offals, fresh, chilled or frozen
02.06 (A)	Bacon
(B)	Ham, dried, salted or smoked
(D)	Other meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked
04.02	Milk and cream, preserved, concentrated or sweetened:
	(A) liquid or semi-solid, unsweetened
	(B) liquid or semi-solid, sweetened
04.03 (A)	Butter put up for retail sale
07.01	Vegetables, fresh or chilled:
	(A) Potatoes:
	(1) for consumption
	(B) Tomatoes:
	(1) released between 1st May and 31st December, both dates inclusive
	(C) Onions
	(D) Garlic
	(E) Green peas
	(F) Green beans
	(G) Kidney beans
	(H) Others
07.02 (A)	Peas, frozen
(B)	Other vegetables, frozen
15.13 (A)	Margarine
16.01	Sausages and the like, of meat, meat offal or animal blood

Maltese Tariff Heading	Description of goods
16.02	Other prepared or preserved meat or meat offal: (A) Corned beef (C) Other
17.01	Beet sugar and cane sugar, solid: (A) Put up for retail sale (B) In bulk: (1) Raw (2) Refined
19.07	Bread, ships' biscuits and other ordinary bakers' wares not containing sugar, honey, eggs, fats, cheese or fruit
19.08 (A)	Biscuits, all kinds, with the exception of cream crackers
(B)	Cream crackers
(C)	Pastry, cakes and other fine bakers' wares
20.02 (A)	Tomato extract and sauce or tomatoes otherwise preserved
20.07 (C)	Grape must, unfermented
21.07 (D)	Sweetening agents (for example, saccharine, dulcin), in tablets or other forms making them a food preparation
22.03	Beer made from malt: (A) Beer imported in tanks or casks (B) Beer imported in bottles or tins shall pay an additional duty per hectolitre
22.04	Grape must in fermentation, or with fermentation arrested otherwise than by the addition of alcohol
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: (A) Imported in casks or tanks: (2) Not exceeding 24% of alcohol in 100 parts by volume of dutiable liquid at 20° centigrade (3) Exceeding 24% of alcohol in 100 parts by volume of dutiable liquid at 20° centigrade

Maltese Tariff Heading	Description of Goods
22.06	<p>Vermouths, and other wines of fresh grapes flavoured with aromatic extracts:</p> <p>(A) Imported in casks or tanks:</p> <p>(2) Not exceeding 24% of alcohol in 100 parts by volume of dutiable liquid at 20° centigrade</p> <p>(3) Exceeding 24% of alcohol in 100 parts by volume of dutiable liquid at 20° centigrade</p>
22.07 (B)	<p>Other fermented beverages (for example: cider, perry and mead):</p> <p>(A) Imported in casks or tanks:</p> <p>(2) Not exceeding 24% of alcohol in 100 parts by volume of dutiable liquid at 20° centigrade</p> <p>(3) Exceeding 24% of alcohol in 100 parts by volume of dutiable liquid at 20° centigrade</p>
22.08	<p>Ethyl alcohol or neutral spirits, undenatured, of a strength of eighty degrees higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength:</p> <p>(A) Methylated spirits</p>
24.02	<p>Manufactured tobacco; tobacco extracts and essences:</p> <p>(A) Cigarettes</p> <p>(B) Cigars and cigarillos</p> <p>(C) Other manufactured tobacco:</p> <p>(1) Pipe tobacco, chewing tobacco and snuff</p> <p>(2) Other, including tobacco cut or cut and blended but not further manufactured</p>
27.10	<p>Petroleum and shale oils, other than crude; preparations not elsewhere specified or included, containing not less than seventy per cent by weight of petroleum or shale oils, these oils being the basic constituents of the preparations:</p> <p>(B) Light oils with a density up to 0.780 exclusive at 15.5 degrees centigrade (this density includes motor vehicle spirit)</p> <p>(C) Oils with a density of 0.780 to 0.810 exclusive at 15.5 degrees centigrade (this density includes oil for household purposes - kerosene - aviation turbine fuels and white spirit)</p> <p>(D) Oils with a density of 0.810 to 0.900 exclusive at 15.5 degrees centigrade (this density includes so-called gas and diesel oil)</p>
27.11	<p>Petroleum gases and other gaseous hydrocarbons:</p> <p>(A) Propane and butane</p>
36.06 (A)	<p>Matches in containers of not more than 20 matches</p>
(B)	<p>Matches in containers of more than 20 matches</p>

Maltese Tariff Heading	Description of goods
44.15	Plywood, blockboard, laminboard, batten-board and veneered panels, whether or not containing any material other than wood; inlaid wood and wood marquetry
44.16	Cellular wood panels, whether or not faced with base metal
44.17	"Improved" wood, in sheets, blocks or the like
44.18	Reconstituted wood, being wood shavings, wood chips, sawdust, wood flour or other ligneous waste agglomerated with natural or artificial resins or other organic binding substances, in sheets, blocks or the like
48.07 (A)	Printed wrapping paper of a width not exceeding 102 cm.
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material
64.02	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No. 64.01) with outer soles of rubber or artificial plastic material: (B) Other
64.03 (B)	Footwear with outer soles of wood or cork:- Other
64.04 (B)	Footwear with outer soles of other materials:- Other
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel: (A) Building bars and rods of a size of from 6 mm to 26 mm in diameter (both included): (1) Round and oval, whether plain or deformed and square-twisted, of Thomas commercial quality or equivalent or BSS mild steel or equivalent (2) Other
97.04	Equipment for parlour, table and funfair games for adults or children (including billiard tables and pin-tables and table-tennis requisites): (B) Playing cards
98.10	Mechanical lighters and similar lighters, including chemical and electrical lighters, and parts thereof, excluding flints and wicks

PROTOCOL

Relating to the definition of the
concept of "originating" products and to methods
of administrative co-operation

CHAPTER I

Provisions relating to the definition
of the concept of "originating" products

ARTICLE 1

For the purpose of implementing the provisions of the Agreement establishing an Association between the European Economic Community and Malta, the following products shall be considered as:

1. products originating in the Community, provided that they have been transported to Malta directly, within the meaning of Article 5:
 - (a) products wholly obtained in the Member States;
 - (b) products obtained in the Member States, in the manufacture of which products other than those referred to in (a) above are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3. This condition shall not apply, however, to products which, within the meaning of this Protocol, originate in Malta.

2. products originating in Malta, provided that they have been transported to the importing Member State directly, within the meaning of Article 5:

- (a) products wholly obtained in Malta;
- (b) products obtained in Malta, in the manufacture of which products other than those referred to in (a) above are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3. This condition shall not apply, however, to products which, within the meaning of this Protocol, originate in the European Economic Community.

The products listed in List C shall be temporarily excluded from the scope of this Protocol.

ARTICLE 2

The following shall be considered as wholly obtained either in the Member States or in Malta, within the meaning of Article 1, sub-paragraphs 1(a) and 2(a):

- (a) Mineral products extracted from the ground thereof
- (b) Vegetable products harvested therein
- (c) Live animals born and raised therein
- (d) Products from live animals raised therein
- (e) Products from hunting and fishing conducted therein

- (f) Marine products taken from the sea by their vessels
- (g) Scrap and waste resulting from manufacturing operations and used articles, provided that they have been collected therein and are only fit for the recovery of raw materials
- (h) Goods obtained therein exclusively from animals or products referred to in (a) to (g) or derivatives therefrom.

ARTICLE 3

For the purpose of implementing the provisions of Article 1, sub-paragraphs 1(b) and 2(b), the following shall be considered as sufficient working or processing:

- (a) Working or processing as a result of which the goods obtained receive a classification under a tariff heading other than that covering each of the products worked or processed, except, however, working or processing appearing in List A, where the special provisions of that list apply;
- (b) Working or processing appearing in List B.

"Tariff headings" shall mean the headings in the Brussels Nomenclature for the Classification of Goods in Customs Tariffs.

ARTICLE 4

Where the Lists A and B referred to in Article 3 provide that the goods obtained in a Member State or Malta shall be considered as originating therein only if the value of the products worked or processed does not exceed a given percentage of the value of the goods obtained, the values to be taken into consideration for determining such percentage shall be:

on the one hand,

as regards products whose importation can be proved: their customs value at the time of importation;

as regards products of undetermined origin: the earliest ascertainable price paid for such products in the territory of the State where manufacture takes place;

on the other hand,

the ex-factory price of the goods obtained, less internal taxes refunded or refundable on exportation.

ARTICLE 5

The following shall be considered as transported directly from the exporting Member State to Malta or from Malta to the importing Member State:

- (a) Goods transported without passing through territory other than that of Contracting Parties;
- (b) Goods transported through territories other than those of Contracting Parties, or transhipped in such territories, if the passage in such territories or the transhipment is covered by a single transport document drawn up in a Member State or in Malta.

Transhipments carried out in the ports of territories other than those of Contracting Parties shall not be considered as interrupting direct transport if such transhipments are caused by "force majeure" or are the result of an act of God at sea.

CHAPTER II

Provisions relating to the organisation of methods of administrative co-operation

ARTICLE 6

"Originating" products within the meaning of this Protocol shall, in the importing Member State or in Malta, benefit from the provisions of the Agreement, upon submission of an A.M. 1 movement certificate issued by the customs authorities of Malta or the customs authorities of the Member State.

Any such products, however, which form part of postal consignments (including parcels), shall, provided that the consignments contain only "originating" products and that the value does not exceed one thousand units of account per consignment, benefit from the provisions of the Agreement in Malta or in the Member States, on the presentation of form A.M. 2.

ARTICLE 7

Movement certificates A.M. 1 shall be issued only on application being made in writing by the exporter, on the form prescribed for this purpose.

ARTICLE 8

The A.M. 1 movement certificate shall be endorsed by the customs authorities of the exporting State when the goods to which it relates are exported. It shall be made available to the exporters as soon as actual exportation has been effected or ensured.

In exceptional circumstances, an A.M. 1 movement certificate may also be endorsed after the exportation of the goods to which it refers, if it was not submitted at the time of such exportation because of an error or involuntary omission. In this case, the certificate shall bear a special reference to the conditions in which it was endorsed.

An A.M. 1 movement certificate may be endorsed only in cases where it can serve as documentary evidence for the purpose of implementing the preferential treatment laid down in the Agreement.

ARTICLE 9

Movement certificates A.M. 1 must be submitted, within four months from the date of endorsement by the customs authorities of the exporting Member State, to the customs authorities of the importing Member State where the goods are delivered.

ARTICLE 10

Movement certificates A.M. 1 must be made out on a form of which a specimen is annexed to this Protocol. They shall be drawn up in one of the languages in which the Agreement is drawn up, in accordance with the provisions of the national law of the exporting country. They shall be typewritten or hand-written; in the latter case, they shall be completed in ink and in capital letters.

Each certificate shall measure 21 x 29.7 cm. The paper used must be white sized writing paper not containing mechanical pulp and weighing not less than 64 grams per square metre or between 25 and 30 grams per square metre if airmail paper is used. It shall have a green machine-turned background making any falsification by chemical or mechanical means apparent to the eye.

On the front of each certificate, a diagonal pattern of three blue stripes, each 3 mm. wide, shall run from the bottom left hand corner to the top right hand corner.

The Member States and Malta may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each form must carry reference to such approval. Each form must bear the name and address of the printer or a sign by which the printer can be identified. It shall also bear a serial number which can be identified.

ARTICLE 11

In the importing State, movement certificates shall be submitted to the customs authorities, in accordance with the provisions made in the laws and regulations of that State. The said authorities may require a translation of a certificate. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the implementation of the provisions of the Agreement.

ARTICLE 12

Form A.M. 2, of which a specimen is annexed to this Protocol, shall be completed by the exporter. It shall be drawn up in one of the languages in which the

Agreement is drawn up and in accordance with the provisions of the national law of the exporting country. It shall be typewritten or hand written; in the latter case it shall be completed in ink and in capital letters.

Form A.M. 2 is composed of two parts, each part being 21 cm. x 14.8 cm. The paper used shall be white sized writing paper not containing mechanical pulp and weighing not less than 64 grams per square metre. On the front of each part, a diagonal pattern of three blue stripes, each 3 mm. wide, shall run from the bottom left hand corner to the top right hand corner.

Form A.M. 2 may be perforated mechanically so that the two parts may be separated and the portion of the form to be affixed on the consignment can be detached. The back of this portion may be adhesive.

The Member States and Malta may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case, each form must

carry a reference to such approval. Each form must bear the name and address of the printer or a sign by which the printer can be identified. It shall also bear a serial number by which it can be identified.

ARTICLE 13

For each postal consignment, an A.M. 2 form shall be completed. After completing and signing the two parts of the form, the exporter shall insert his declaration (Part 1) in the consignment and stick the label from Part 2 of form A.M. 2 on the outer packing of the consignment.

These provisions do not dispense exporters from complying with any formalities required by customs or postal regulations.

ARTICLE 14

Unless they suspect some irregularity, the customs authorities of the importing Member State or Malta shall admit as benefiting from the provisions of the Agreement any goods contained in a consignment bearing an A.M. 2 label.

For the purpose of a survey or in a case of doubt as to regularity, the customs authorities of a Member State or of Malta may ask for a customs examination by the customs authorities of Malta or the Member State, forwarding, for this purpose, Part 1 of the A.M. 2 form contained in the consignment, and may suspend, while waiting for the result of such examination, the application of the provisions of the Agreement. In such cases, withdrawal of the consignment shall nevertheless be open to the importer, subject to any preventive measures considered necessary.

ARTICLE 15

1. Member States and Malta shall admit as "originating" products benefiting from the provisions of the Agreement, without requiring the production of an A.M. 1 movement certificate or the completion of an A.M. 2 form, goods sent as small packages to private persons or forming part of passengers' personal luggage, in so far as such goods are not imported by way of trade and have been declared as meeting the conditions required for the application of these provisions, and where there is no doubt as to the veracity of such declaration.
2. Importations which are occasional and consist solely of goods for the personal use of the addressee or passenger or his family, it being evident from the nature and quality of the goods that no commercial purpose is in view, shall not be considered as importations by way of trade. Furthermore, the total value of these goods must

not exceed 60 units of account in the case of small packages or 200 units of account in the case of the contents of passengers' personal luggage.

ARTICLE 16

In order to ensure the proper application of the provisions of this Chapter, the Member States and Malta shall assist each other, through their respective customs administrations, for the purpose of checking the authenticity and correctness of A.M. 1 movement certificates and of exporters' declarations made on A.M. 2 forms.

The Council of Association shall draw up any recommendations necessary for the application of the provisions of this Protocol, especially the provisions of this Chapter, so that the methods of administrative co-operation may be applied in due course in the Member States and in Malta.

CHAPTER III

Final Provisions

ARTICLE 17

The Member States and Malta shall take all the measures necessary for the A.M. 1 movement certificates to be produced, in accordance with the provisions of Article 11, as from the date of entry into force of the Agreement.

ARTICLE 18

Malta, the Member States and the Community shall, each to the extent to which they are concerned, take the necessary steps to implement the provisions of this Protocol.

ARTICLE 19

The explanatory notes, Lists A, B and C, the specimen of the A.M. 1 movement certificate and that of the A.M. 2 form shall form an integral part of this Protocol.

ARTICLE 20

Goods which conform to the provisions of Chapter I and which, on the date of entry into force of the Agreement, are either being transported or are being held in a Member State or Malta under temporary warehouse procedure, in bonded warehouses or in free zones, may be allowed to benefit from the provisions of the Agreement, subject to the submission - within four months from that date - to the customs authorities of the importing country of an A.M. 1 movement certificate, drawn up retroactively by the authorities of the exporting State, and of any documents that provide supporting evidence of direct transport.

EXPLANATORY NOTESNote 1 - Article 1

The terms "in the Member States" or "in Malta" shall also cover territorial waters and ships operating on the high seas, including "factory ships" on which the fish caught is worked or processed, provided that they satisfy the conditions laid down in Explanatory Note 4.

Note 2 - Article 1

In order to determine whether goods originate in a Member State or in Malta, it shall not be necessary to establish whether the power and fuel, plant and equipment and machine and tools used to obtain such goods originate or not in third states.

Note 3 - Article 1

Packing shall be considered as forming a whole with the goods contained therein. This provision, however, shall not apply to packing which is not of the normal type for the article packed and which has intrinsic value of a durable nature apart from its function as packing.

Note 4 - Article 2 (f)

The term "their vessels" shall apply only to vessels:

- (a) which are registered in a Member State or in Malta;
- (b) which sail under the flag of a Member State or of Malta;

- (c) which are owned to an extent of at least 50% by nationals of Member States or Malta, or by a company or firm with its head office in one of these States, of which the manager or managers, chairman of the board of directors or of the supervisory board, and the majority of the members of such boards are nationals of a Member State or Malta, and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to States party to the Agreement, to public bodies or to nationals of the said States;
- (d) of which the captain and officers are all nationals of the Member States or Malta;
- (e) of which at least 75% of the crew are nationals of the Member States or Malta.

Note 5 - Article 4

"Ex factory price" shall mean the price paid to the manufacturer in whose undertaking the sufficient working or processing is carried out. Where such working or processing is carried out successively in two or more undertakings, the price to be taken into account shall be that paid to the last manufacturer.

Note 6 - Article 8

Where an A.M. 1 movement certificate relates to goods originally imported from a Member State or Malta, and re-exported in the same condition, the new certificates issued by the re-exporting State must compulsorily show in which country the original movement certificate was issued.

Note 7 - Article 13

After completing the A.M. 2 form, the exporter shall insert the words "A.M. 2", followed by the serial number of the form used, either on the C. 1 green label or on the C. 2 or C. 2 M declaration, or under the heading "Observations" of the CP 3 or CP 3 M customs declarations.

L I S T A

List of working or processing operations which result in a change of tariff heading without conferring the status of "originating" products on the products undergoing such operations, or conferring this status only subject to certain conditions

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
All Nos. in the Customs Tariff	All products	<p>1. Operations intended to ensure the preservation of merchandise in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in brine, in sulphur water or in other solutions, removal of damaged parts, and like operations)</p> <p>2. Simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making up of sets of articles), washing, painting, cutting up</p> <p>3. (a) Changes of packing and breaking up and assembling of consignments;</p>	

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
All Nos. in the Customs Tariff (continued)	All products	<p>Working or processing that does not confer the status of "originating" products</p> <p>(b) placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packing operations</p> <p>4. Affixing on products or packages thereof marks, labels, or other like distinctive signs</p> <p>5. Mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down by the Council of Association to enable them to be considered as originating either in the Community or Malta</p>

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
All Nos. in the Customs Tariff (continued)	All products	<p>Working or processing that does not confer the status of "originating" products</p> <p>6. Assembly of parts of articles in order to constitute a complete article</p> <p>7. A combination of two or more operations referred to in items 1 to 6 above</p> <p>8. Slaughter of animals</p> <p>Salting, placing in brine, drying or smoking of meat and edible meat offals of No. 02.01 or 02.04</p> <p>Salting, placing in brine, drying or smoking of fish</p>
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked	
03.02	Fish, salted, in brine, dried or smoked	

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
04.02	Milk and cream, preserved, concentrated or sweetened	Working or processing that does not confer the status of "originating" products
04.03	Butter	
04.04	Cheese and curd	
07.02	Vegetables (whether or not cooked) preserved by freezing	
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption	
		Preserving, concentrating of milk or cream of No. 04.01, or addition of sugar to these products Manufactured from milk or cream Manufacture from products of Nos. 04.01, 04.02 and 04.03 Freezing of vegetables Placing in brine or in other solutions, of vegetables of No. 07.01

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared	Drying, dehydration, evaporation, cutting, breaking, powdering of vegetables of Nos. 07.01 to 07.03 inclusive	
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar	Freezing of fruit	
08.11	Fruit provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption	Placing in brine or in other solutions of fruit of Nos. 08.01 to 08.09 inclusive	
08.12	Fruit dried (other than that falling within heading Nos. 08.01, 08.02, 08.03, 08.04 or 08.05)	Drying of fruit	

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
11.01	Cereal flours	Manufacture from cereals	
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals whole, rolled, flaked or ground	Manufacture from cereals	
11.03	Flours of the leguminous vegetables falling within heading No. 07.05	Manufacture from dried leguminous vegetables	
11.04	Flours of the fruits falling within any heading in Chapter 8	Manufacture from fruits of Chapter 8	
11.05	Flour, meal and flakes of potato	Manufacture from potatoes	
11.06	Flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No. 07.06	Manufacture from products of No. 07.06	
11.07	Malt, roasted or not	Manufacture from cereals	

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
11.08	Starches ; inulin	Manufacture from cereals of Chapter 10, from potatoes or other products of Chapter 7	
11.09	Gluten and gluten flour, roasted or not	Manufacture from cereals or cereal flours	
15.01	Lard and other rendered pig fat ; rendered poultry fat	Manufacture from products of No. 02.05	
15.02	Unrendered fats of bovine cattle, sheep or goats ; tallow (including "premier jus") produced from those fats	Manufacture from products of No. 02.05	
15.04	Fats and oils of fish and marine mammals, whether or not refined	Manufacture from fish or marine mammals caught by fishing vessels of countries not party to the Agreement	

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
15.06	Other animal oils and fats (including neat's foot oil and fats from bones or waste)	Working or processing that does not confer the status of "originating" products of "originating" products of Chapter 2
ex 15.07	Fixed vegetables oils, fluid or solid, crude, refined or purified, not including oils derived from China wood, linseed, tung, oleococca, oiticica, Japan wax and myrtle wax; and also not including oils to be used for technical or industrial uses other than the manufacture of food stuffs	
16.01	Sausages and the like, of meat, meat offal or animal blood	Manufacture from products of Chapter 2
16.02	Other prepared or preserved meat or meat offal	Manufacture from products of Chapter 2
16.04	Prepared or preserved fish, including caviar and caviar substitutes	Manufacture from products of Chapter 3

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
16.05	Crustaceans and molluscs, prepared or preserved	Working or processing that does not confer the status of "originating" products of "originating" products
17.02	Other sugars ; sugar syrups ; artificial honey (whether or not mixed with natural honey) ; caramel	
17.04	Sugar confectionery, not containing cocoa	
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion	

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
18.06	Chocolate and other food preparations containing cocoa	Manufacture from products of Chapter 17 or manufacture in which the value of the cocoa beans used exceeds 40 % of the value of the finished product	
19.02	Preparations of flour, starch or malt extract of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa	Manufacture from cereals and derived products, meat, milk and sugars	

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
19.03	Macaroni, spaghetti and similar products	Manufacture from various products	Manufacture from durum wheat
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches		
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)		
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard	Preserving of vegetables and fruit, fresh frozen or temporarily preserved, or preserved in vinegar.	Manufacture from "originating" fruit of Chapter 8 and "originating" products of Chapter 17
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid	Preserving of vegetables fresh or frozen	
20.03	Fruit preserved by freezing, containing added sugar		

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
20.04	Fruit, fruit peel and parts of plants, preserved by sugar (drained, glacé or crystallised)		Manufacture from "originating" fruit and products of Chapter 17
ex 20.05	Jams, fruit jellies, marmalades, fruit puree and fruit pastes, being cooked preparations, containing added sugar		
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: A. Nuts, including groundnuts, roasted		
ex 20.07	B. Other Fruit juices (including grape must), whether or not containing added sugar, but unfermented and not containing spirit	Manufacture, without the addition of sugar or spirit, in which the value of "originating" products of Nos. 08.01, 08.05 or 12.01 used represents at least 60 % of the value of the finished product	Manufacture from "originating" products of Chapters 8, 17 and 22
			Manufacture from "originating" products of Chapters 8 and 17

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
ex 21.01	Roasted chicory and extracts, essences and concentrates thereof	Manufacture from fresh or dried chicory roots	
ex 22.06	Vermouths	Manufacture from products of heading No. 08.04, 20.07, 22.04 or 22.05	
22.08	Ethyl alcohol or neutral spirits, undenatured, of a strength of 80° or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength.	Manufacture from products of heading Nos. 08.04, 20.07, 22.04 or 22.15	
22.09	Spirits (other than those of heading No. 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as "concentrated extracts") for the manufacture of beverages	Manufacture from products of heading No. 08.04, 20.07, 22.04 or 22.05	
22.10	Vinegar and substitutes for vinegar	Manufacture from products of heading No. 08.04, 20.07, 22.04 or 22.05	
23.04	Oil cake and other residues (except dregs) resulting from the extraction of vegetable oils	Manufacture from various products	

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met	
Customs Tariff No.	Description		
23.07	Sweetened forage ; other preparations of a kind used in animal feeding	Working or processing that does not confer the status of "originating" products	
ex 24.02	Cigarettes, cigars and cigarillos, tobacco for smoking		
ex 28.13	Hydrobromic acid		
ex 28.19	Zinc oxide		
		Manufacture from cereals and derived products, meat, milk, sugars and molasses	Working or processing that confers the status of "originating" products when the following conditions are met
		Any manufacture from products of heading No. 28.01	
		Any manufacture from products of heading No. 79.01	Manufacture in which at least 70 % by quantity of products of heading No. 24.01 used are "originating" products

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
28.27	Lead oxides	Any manufacture from products of heading No. 78.01	
ex 28.28	Lithium hydroxide	Any manufacture from products of heading No. 28.42	
ex 28.29	Lithium fluoride	Any manufacture from products of heading No. 28.28 or 28.42	
ex 28.30	Lithium chloride	Any manufacture from products of heading No. 28.28 or 28.42	
ex 28.33	Bromides	Any manufacture from products of heading No. 28.01 and 28.13	
ex 28.38	Aluminium sulphate	Any manufacture from products of heading No. 28.20	

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
ex 28.42	Lithium carbonate	Any manufacture from products of heading No. 28.28 Any manufacture from products of heading No. 28.01 or 28.13	Transformation of ethanol into chloral and condensation of chloral with monochlorobenzol Transformation of acetylene into acetaldehyde and transformation of acetaldehyde into pyridine or picoline Transformation of acetaldehyde into picolines and transformation of picolines into vinylpyridine Transformation of acetaldehyde into beta-picoline and transformation of beta-picoline into nicotonic acid
ex 29.02	Organic bromides		
ex 29.02	Trichlorodi (chlorophenyl) ethane		
ex 29.35	Pyridine ; alpha-picoline ; beta-picoline ; gamma-picoline		
ex 29.35	Vinylpyridine		
ex 29.38	Nicotinic acid (Vitamin PP)		

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
ex 30.03	Medicaments (including veterinary medicaments) containing antibiotics	Working or processing that does not confer the status of "originating" products of "originating" products
31.05	Other fertilisers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg.	
32.06	Colour lakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished products
32.07	Other colouring matter; inorganic products of a kind used as luminophores	

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
35.05	Dextrins; soluble or roasted starches; starch glues	Working or processing that does not confer the status of "originating" products of "originating" products
38.11	Disinfectants, fungicides, weed-killers, anti-sprouting products, rat poisons and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example, sulphur-treated bands, wicks and candles, fly-papers)	
	Any manufacture from various products	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.13	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
ex 38.14	Anti-knock preparations, oxidation inhibitors, gum improvers, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils, excluding prepared additives for lubricants		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.15	Prepared rubber accelerators		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.17	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.18	Composite solvents and thinners for varnishes and similar products		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
ex 38.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding:</p> <ul style="list-style-type: none"> - Fusel oil and Dippel's oil; - Naphthenic acids and their non-water-soluble salts, esters of naphthenic acids; - Sulphonaphthenic acids and their non-water-soluble salts, esters of sulpho-naphthenic acids; - Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium 	<p>Manufacture in which the value of the products used does not exceed 50% of the value of the finished product</p>	

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
ex 38.19 (continued)	<p>or of ethanalamines, thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts;</p> <ul style="list-style-type: none"> - Mixed alkylenes; - Mixed alkylbenzenes and mixed alkyl-naphthalenes; - Ion exchangers; - Catalysts; - Getters for vacuum tubes - Refractory cements or mortars and similar preparations; - Alkaline iron oxide for the purification of gas; - Carbon (excluding that in artificial graphite of heading No. ex 38.01) in metallo-graphite or other compounds, in the form of small plates, bars or other semi-manufactures 		

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
ex 39.02	Polymers	Working or processing that does not confer the status of "originating" products
39.07	Articles of products of the kinds described in heading Nos. 39.01 to 39.06	
	All manufactures from monomers listed in Chapter 29 Working of artificial plastic materials, cellulose ethers and esters, and artificial resins	

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
40.05	Plates, sheets and strip of unvulcanised natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No. 40.01 or 40.02; granules of unvulcanised natural or synthetic rubber compounded ready for vulcanisation; unvulcanised natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of mineral oil), or with silica, (with or without the addition of mineral oil), in any form, of a kind known as master-batch		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
41.02	Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No. 41.06, 41.07 or 41.08	Tanning of raw hides and skins of heading No. 41.01	

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
41.03	Sheep and lamb skin leather except leather falling within heading No. 41.06, 41.07 or 41.08	Tanning of raw hides and skins of heading No. 41.01	<p>Varnishing or metallising of leather of heading Nos. 41.02 to 41.07 inclusive (other than skin leather of crossed Indian sheep and of Indian goat or kid, not further prepared than vegetable tanned, or if otherwise prepared, obviously unsuitable for immediate use in the manufacture of leather articles) in which the value of the skin leather used does not exceed 50% of the value of the finished product.</p>
41.04	Goat and kid skin leather, except leather falling within heading No. 41.06, 41.07 or 41.08	Tanning of raw hides and skins of heading No. 41.01	
41.05	Other kinds of leather, except leather falling within heading No. 41.06, 41.07, or 41.08	Tanning of raw hides and skins of heading No. 41.01	
41.08	Patent leather and metallised leather		

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
43.03	Articles of furskin	Making up from furskins in plates, crosses and similar forms (ex 43.02)	
44.21	Complete wooden packing cases, boxes, crates, drums and similar packings imported assembled, unassembled, or partly assembled		Manufacture from boards not cut to size
45.03	Articles of natural cork		Manufacture from products of heading No. 45.01
48.06	Paper and paperboard, ruled, lined or squared, but not otherwise printed, in rolls or sheets		Manufacture from paper pulp

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
48.14	Writing blocks, envelopes, letter cards, plain post-cards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
48.15	Other paper and paper-board, cut to size or shape	Manufacture from paper pulp
48.16	Boxes, bags and other packing containers, of paper or paperboard	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
50.04	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale	Manufacture from products of heading No. 50.01
51.03	Yarn of man-made fibres (continuous), put up for retail sale	Manufacture from chemical products or textile pulp
51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No. 51.01 or 51.02	Manufacture from chemical products or textile pulp
53.06	Yarn or carded sheep's or lambs' wool (woollen yarn), not put up for retail sale	Manufacture from sheep's or lambs' wool, not carded or combed

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
53.07	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale	<p>Manufacture from sheep's or lambs' wool, not carded or combed</p> <p>Manufacture from unprepared fine animal hair of heading No. 53.02</p> <p>Manufacture from unprepared coarse animal hair of heading No. 53.02 or from unprepared horsehair of heading No. 05.03</p> <p>Manufacture from products of heading No. 05.03, 53.01, 53.02, 53.03 or 53.04</p> <p>Manufacture from products of headings Nos. 53.01 to 53.05 inclusive</p>
53.08	Yarn of fine animal hair (carded or combed), not put up for retail sale	
53.09	Yarn of horsehair or of other coarse animal hair, not put up for retail sale	
53.10	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale	
53.11	Woven fabrics of sheep's or lambs' wool or of fine animal hair	

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
54.04	Flax or ramie yarn, put up for retail sale		Manufacture from products of heading No. 54.01 or 54.02
54.05	Woven fabrics of flax or of ramie		Manufacture from products of heading No. 54.01 or 54.02
55.05	Cotton yarn, not put up for retail sale		Manufacture from products of heading No. 55.01 or 55.03
55.06	Cotton yarn, put up for retail sale		Manufacture from products of heading No. 55.01 or 55.03
55.07	Cotton gauze		Manufacture from products of heading No. 55.01, 55.03 or 55.04
55.08	Terry towelling and similar terry fabrics, of cotton		Manufacture from products of heading No. 55.01, 55.03 or 55.04
55.09	Other woven fabrics of cotton		Manufacture from products of heading No. 55.01, 55.03 or 55.04

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous)		
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning		
56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale		

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
56.06	Yarn of man-made fibres (discontinuous or waste), put up for retail sale	<p>Manufacture from chemical products or textile pulp</p> <p>Manufacture from products of headings Nos. 56.01 to 56.03 inclusive</p> <p>Manufacture from products of heading No. 57.01</p> <p>Manufacture from raw jute</p> <p>Manufacture from products of heading No. 57.02 or 57.04</p>
56.07	Woven fabrics of man-made fibres (discontinuous or waste)	
57.09	Woven fabrics of true hemp	
57.10	Woven fabrics of jute	
57.11	Woven fabrics of other vegetable textile fibres	
		Working or processing that does not confer the status of "originating" products

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
58.01	Carpets, carpeting and rugs, knotted (made up or not)		Manufacture from products of headings Nos. 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive, 56.01 to 56.03 inclusive or 57.01 to 57.04 inclusive
58.02	Other carpets, carpeting, rugs, mats and matting, and "Kelem", "Schumacks" and "Karamanie" rugs and the like (made up or not)		Manufacture from products of headings Nos. 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive, 56.01 to 56.03 inclusive or 57.01 to 57.04 inclusive
58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No. 55.08 and fabrics falling within heading No. 58.05		Manufacture from products of headings Nos. 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive or 56.01 to 56.03 inclusive

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
58.05	Narrow woven fabrics and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No. 58.06		Manufacture from products of headings Nos. 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive, 56.01 to 56.03 inclusive or 57.01 to 57.04 inclusive
58.06	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size		Manufacture from products of headings Nos. 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive or 56.01 to 56.03 inclusive
58.08	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain		Manufacture from products of headings Nos. 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive or 56.01 to 56.03 inclusive

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
ex 58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; mechanically made lace, in the piece, in strips or in motifs		Manufacture from products of headings Nos. 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive or 56.01 to 56.03 inclusive
59.04	Twine, cordage, ropes and cables, plaited or not		Manufacture either from natural fibres or from chemical products or textile pulp
59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope		Manufacture either from natural fibres or from chemical products or textile pulp
59.06	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics		Manufacture either from natural fibres or from chemical products or textile pulp

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
59.07	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses		Manufacture from yarn
59.08	Textile fabrics impregnated or coated with preparations of cellulose derivatives or of other artificial plastic materials		Manufacture from yarn
59.09	Textile fabrics coated or impregnated with oil or preparations with a basis of drying oil		Manufacture from yarn

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
59.10	Linoleum and materials prepared on a textile base in similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not		Manufacture from yarn
59.11	Rubberised textile fabrics other than rubberised knitted or crocheted goods		Manufacture from yarn
59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio backcloths or the like		Manufacture from yarn
59.13	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads		Manufacture from single yarn

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
59.15	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials		Manufacture from single yarn
59.16	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material		Manufacture from single yarn
59.17	Textile fabrics and textile articles, of a kind commonly used in machinery or plant		Manufacture from products of headings Nos. 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive, 56.01 to 56.03 inclusive, or 57.01 to 57.04 inclusive
Chapter 60	Knitted and crocheted goods: Of man-made textile fibres, continuous or discontinuous Other		Manufacture from products of headings Nos. 56.01 to 56.03 inclusive, from textile pulp, or from chemical products Manufacture from natural fibres, carded or combed

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
61.01	Men's and boys' outer garments		Manufacture from yarn or from unbleached fabric
61.02	Women's, girls' and infants' outer garments		Manufacture from yarn or from unbleached fabric
61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs		Manufacture from yarn or from unbleached fabric
61.04	Women's, girls' and infants' under garments		Manufacture from yarn or from unbleached fabric
61.05	Handkerchiefs		Manufacture from yarn

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
61.06	Shawls, scarves, mufflers, mantillas, veils and the like	Manufacture from yarn
61.07	Ties, bow ties and cravats	
61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments	
61.09	Corsets, corset-belts, suspender-belts, brassieres, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic	Manufacture from yarn

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods		Manufacture from yarn
61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets)		Manufacture from yarn
ex 62.01	Travelling rugs and blankets, other than electrically heated		Manufacture from unbleached yarn of Chapters 50 to 56 inclusive
62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles		Manufacture from single unbleached yarn

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
62.03	Sacks and bags, of a kind used for the packing of goods		Manufacture from yarn
62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods		Manufacture from single unbleached yarn
62.05	Other made up textile articles (including dress patterns)		Manufacture in which the value of the products used does not exceed 40% of the value of the finished product
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	Manufacture from assemblies consisting of shoe uppers fixed to inner soles or to other lower parts, without outer soles, in any material except metal	

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
ex 64.02	Footwear with uppers of natural leather	Working or processing that does not confer the status of "originating" products of "originating" products Manufacture from assemblies consisting of shoe uppers fixed to inner soles or to other lower parts, without outer soles, in any material except metal
ex 64.02	Footwear other than with uppers of natural leather	Manufacture from assemblies consisting of shoe uppers fixed to inner soles or to other lower parts, without outer soles, in any material except metal
64.03	Footwear with outer soles of wood or cork	Manufacture from assemblies consisting of shoe uppers fixed to inner soles or to other lower parts, without outer soles, in any material except metal

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
64.04	Footwear with outer soles of other materials	<p>Working or processing that does not confer the status of "originating" products</p> <p>Manufacture from assemblies consisting of shoe uppers fixed to inner soles or to other lower parts, without outer soles, in any material except metal</p> <p>Manufacture from fibre</p> <p>Manufacture from yarn</p>
65.03	Felt hats and other felt headgear, being headgear made from the felt hoods and plateaux falling within heading No. 65.01, whether or not lined or trimmed	
65.05	Hats and other headgear (including hair nets), knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not trimmed or not lined or trimmed	

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
66.01	Umbrellas and sun-shades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 68.05	Abrasives of silicon carbides	
ex 70.07	Cast or rolled glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved), whether or not surface ground or polished; multiple-walled insulating glass	
70.08	Safety glass consisting of toughened or laminated glass, shaped or not	Working or processing that does not confer the status of "originating" products of "originating" products
		All manufactures from silicon carbides of heading No. ex 28.56
		Manufacture from drawn, cast or rolled glass of headings Nos. 70.04 to 70.06 inclusive

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed	Manufacture from drawn, cast or rolled glass of headings Nos. 70.04 to 70.06 inclusive	
71.15	Articles consisting of, or incorporating pearls, precious or semi-precious stones (natural, synthetic or reconstructed)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled	Cutting without rolling of coils of heading No. 73.08	
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled	Cutting without rolling of coils of heading No. 73.08	
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
74.04	Wrought plates, sheets and strip, of copper of a thickness of more than 0.15 mm		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.05	Copper foil (whether or not embossed, cut to shape, perforated, coated, printed or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.06	Copper powder and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
74.07	Tubes and pipes and blanks therefor, of copper; hollow bars of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.08	Tube and pipe fittings (for example, joints, elbows, sockets and flanges) of copper	
74.09	Reservoirs, tanks, vats and similar containers, for any material, of copper, of a capacity exceeding 300 litres, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.10	Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables	

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
74.11	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands of copper wire)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.12	Expanded metal, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.13	Chain and parts thereof, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.14	Nails, tacks, staples hook nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel, with heads of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
74.15	Bolts and nuts (including bold ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, coppers, cotter-pins, washers and spring washers, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.16	Springs, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
74.18	Other articles of a kind commonly used for domestic purposes, builders' sanitary ware for indoor use, and parts of such articles and ware, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.19	Other articles of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
75.02	Wrought bars, rods, angles, shapes and sections of nickel; nickel wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
75.03	Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
75.04	Tubes and pipes and blanks therefore, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
75.05	Electro-plating anodes of nickel, wrought or unwrought, including those produced by electrolysis		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
75.06	Other articles of nickel		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.03	Wrought plates, sheets and strip, of aluminium of a thickness of more than 0.20 mm		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material) of a thickness (excluding any backing) not exceeding 0.20 mm		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.05	Aluminium powders or flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.07	Tube and pipe fittings (for example, joints, elbows, sockets and flanges) of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that confers the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
76.08	Structures, complete or incomplete, whether or not assembled, and parts of structures, (for example, hangars and other buildings, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.09	Reservoirs, tanks, vats and similar containers, for any material, of aluminium, of a capacity exceeding 300 litres, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
76.10	Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers) of aluminium of a description commonly used for the conveyance or packing of goods		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.11	Compressed gas cylinders and similar pressure containers, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.13	Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
76.14	Expanded metal, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.15	Articles of a kind commonly used for domestic purposes, builders' sanitary ware for indoor use, and parts of such articles and ware, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.16	Other articles of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
77.02	Wrought bars, rods, angles, shapes and sections, of magnesium; magnesium wire; wrought plates, sheet and strip, of magnesium; magnesium; tubes and pipes and blanks thereof, of magnesium; hollow baths of magnesium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
77.03	Other articles of magnesium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
78.02	Wrought bars, rods, angles, shapes and sections, of lead; lead wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.03	Wrought plates, sheets and strip of lead of a weight exceeding 1700 g/m ²		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.04	Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1700 g/m ² ; lead powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
78.05	Tubes and pipes and blanks therefor, of lead; hollow bars and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.06	Other articles of lead		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
79.04	Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example joints, elbows, sockets and flanges), of zinc		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.05	Gutters, roof capping, skylight frames, and other fabricated building components, of zinc		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.06	Other articles of zinc		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.02	Wrought bars, rods, angles, shapes and sections, of tin; tin wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
80.03	Wrought plates, sheets and strip of tin of a weight exceeding 1 kg. per square metre	Working or processing that does not confer the status of "originating" products
80.04	Tin foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg. per square metre; tin powders and flakes	
80.05	Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin	
		Working or processing that confers the status of "originating" products when the following conditions are met
		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, broaching, boring, cutting, turning, dressing, morticing or screw-driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product
82.06	Knives and cutting blades, for machines or for mechanical appliances		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product
ex Chapter 84	Boilers, machinery and mechanical appliances; excluding products of heading No. 84.15 and sewing machines and furniture specially designed for sewing machines (heading ex No. 84.41)		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
84.15	Refrigerators and refrigerating equipment (electrical and other)		Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts used are "originating" products

1 In determining the value of parts, the following must be taken into account:

- (a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;
- (b) in respect of other parts, the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
ex 84.41	Sewing machines; furniture specially designed for sewing machines		<p>Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the parts¹ used for the assembly of the head (motor excluded) are "originating" products, and</p> <p>(b) the thread tension, crochets and zigzag mechanisms are "originating" products</p>

¹ In determining the value of parts, the following must be taken into account:

- (a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;
- (b) in respect of other parts, the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
ex Chapter 85	Electrical machinery and equipment; parts thereof, excluding products of heading No. 85.14 or 85.15	Assembly in which the value of the parts used does not exceed 40% of the value of the finished product
		Working or processing that does not confer the status of "originating" products

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers		<p>Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the parts¹ used are "originating" products, and</p> <p>(b) all the transistors are "originating" products</p>

¹ In determining the value of parts, the following must be taken into account:

(a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;

(b) in respect of other parts, the provisions of Article 4 of this Protocol determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radiobroadcasting and television transmission and reception apparatus (including those incorporating gramophones) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus		Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts used are "originating" products

1 In determining the value of parts, the following must be taken into account:

(a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;

(b) in respect of other parts, the provisions of Article 4 of this Protocol determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
Chapter 86	Railway and tramway locomotives, rolling-stock and parts thereof railway and tramway track fixtures and fittings; traffic signalling equipment of all kinds (not electrically powered)		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product
ex Chapter 87	Vehicles other than railway or tramway rolling-stock and parts thereof, excluding products of heading No. 87.09		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
87.09	Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds		Assembly in which the value of the "non-originating" parts used does not exceed 40% of the finished product, and provided that at least 50% in value of the parts used are "originating" products

1 In determining the value of parts, the following must be taken into account:

- (a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;
- (b) in respect of other parts, the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
ex Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus; excluding products of heading No. 90.05, 90.07, 90.08, 90.12 or 90.26	Working or processing that does not confer the status of "originating" products of "originating" products Assembly in which the value of the parts used does not exceed 40% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
90.05	Refracting telescopes (monocular and binocular), prismatic or not		<p>Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts used are "originating" products</p>

1 In determining the value of parts, the following must be taken into account:

- (a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;
- (b) in respect of other parts, the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
90.07	Photographic cameras; photographic flash-light apparatus	<p>Working or processing that does not confer the status of "originating" products</p> <p>Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts used are "originating" products</p>

1. In determining the value of parts, the following must be taken into account:

- (a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;
- (b) in respect of other parts, the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
90.08	Cinematographic cameras, projectors, sound recorders and sound reproducers; any combination of these articles		Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts used are "originating" products

1 In determining the value of parts, the following must be taken into account:

(a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;

(b) in respect of other parts, the provisions of Article 4 of this Protocol determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
90.12	Compound optical microscopes, whether or not provided with means for photographing or projecting the image		Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts used are "originating" products

1 In determining the value of parts, the following must be taken into account:

- (a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;
- (b) in respect of other parts, the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description	
90.26	Gas, liquid and electricity supply or production meters; calibrating meters therefor	<p>Working or processing that does not confer the status of "originating" products</p> <p>Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts¹ used are "originating" products</p>

¹ In determining the value of parts, the following must be taken into account:

(a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;

(b) in respect of other parts, the provisions of Article 4 of this Protocol determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
ex Chapter 91	Clocks and watches and parts thereof, excluding products of headings Nos. 91.04 and 91.08		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product
91.04	Other clocks		Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts used are "originating" products

1 In determining the value of parts, the following must be taken into account:

- (a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;
- (b) in respect of other parts, the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
91.08	Clock movements, assembled		Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts used are "originating" products
ex Chapter 92	Musical instruments; sound recorders and reproducers; television image and sound recorders and reproducers, magnetic; parts and accessories of such articles, excluding products of heading No. 92.11		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product

¹ In determining the value of parts, the following must be taken into account:

(a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;

(b) in respect of other parts, the provisions of Article 4 of this Protocol determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including record-players and tape decks with or without sound heads; television image and sound recorders and reproducers, magnetic		<p>Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the parts¹ used are "originating" products, and</p> <p>(b) all the transistors are "originating" products</p>

¹ In determining the value of parts, the following must be taken into account:

- (a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;
- (b) in respect of other parts, the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
ex 93.07	Lead shot		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
96.02	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers; squeegees (other than roller squeegees) and mops		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
97.03	Other toys; working models of a kind used for recreational purposes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of "originating" products	Working or processing that confers the status of "originating" products when the following conditions are met
Customs Tariff No.	Description		
98.01	Buttons and button moulds, studs, cuff-links, and press-fasteners including snap fasteners and press-studs; blanks and parts of such articles		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.08	Typewriter and similar ribbons, whether or not on spools; ink-pads, with or without boxes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 98.15	Vacuum flasks and other vacuum vessels, complete with cases		Manufacture from products of heading No. 70.12

LIST B

List of working or processing operations which do not result
in a change of tariff heading
but which do confer the status of "originating"
products on the products undergoing such operations

Finished products		Working or processing that confers the status of "originating" products
Customs Tariff No.	Description	
ex 15.10	Patty industrial alcohols	Incorporation of "non-originating" parts in machinery or mechanical appliances of Chapters 84 to 92 does not make such products lose their status of "originating" products, provided that the value of the "non-originating" parts used does not exceed 5% of the value of the finished product
ex 21.03	Prepared mustard	Manufacture from fatty industrial acids Manufacture from mustard flour
ex 22.09	Whisky of an alcoholic strength of less than 50°	Manufacture from alcohol obtained exclusively by distilling cereals and in which the value of the "non-originating" products used does not exceed 15% of the value of the finished product
ex 25.09	Earth colours, calcined or powdered	Crushing and calcination or powdering of earth colours
ex 25.15	Marble squared by sawing, of a thickness of 25 cm. or less	Sawing into slabs or sections, polishing, grinding and cleaning of marble, including marble not further worked than roughly split, roughly squared or squared by sawing, more than 25 cm. in thickness
ex 25.16	Granite, porphyry, basalt, sandstone and other monumental and building stone, squared by sawing, of a thickness of 25 cm. or less	Sawing of granite, porphyry, basalt, sandstone and other building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, more than 25 cm. in thickness
ex 25.18	Calcined dolomite; agglomerated dolomite (including tarred dolomite)	Calcination of unworked dolomite

Finished products		Working or processing that confers the status of "originating" products
Customs Tariff No.	Description	
ex 33.01	Essential oils, other than of citrus fruit, terpeneless	Deterpenation of essential oils, other than of citrus fruit
ex 38.05	Refined tall oil	Refining of crude tall oil
ex 38.07	Sulphate turpentine, purified	Purification, comprising distillation and refining of crude sulphate turpentine
ex 40.01	Slabs of crepe rubber for soles	Lamination of crepe sheets of natural rubber
ex 40.07	Rubber thread and cord, textile-covered	Manufacture from rubber thread or cord
ex 41.01	Sheep and lamb skins without the wool	Removing wool from sheep and lamb skins in the wool
ex 41.03	Retanned skin leather of crossed Indian sheep	Retanning of crossed Indian sheep skin leather not further prepared than tanned
ex 41.04	Retanned Indian goat or kid skin leather	Retanning of Indian goat or kid skin leather not further prepared than tanned
ex 43.02	Assembled furskins	Bleaching, dyeing, dressing cutting tanned or dressed, furskins

Finished products		Working or processing that confers the status of "originating" products
Customs Tariff No.	Description	
ex 50.09) ex 50.10) ex 51.04) ex 53.11) ex 53.12) ex 53.13) ex 54.05) ex 55.07) ex 55.08) ex 55.09) ex 56.07)	Printed fabrics	Printing accompanied by finishing operations (bleaching, dressing, drying, steaming, burling, mending, impregnating, sanforizing, mercerising) of fabrics the value of which does not exceed 47.5% of the value of the finished product.
ex 68.03	Articles of slate, including articles of agglomerated slate	Manufacture of articles of slate
ex 68.13	Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate	Manufacture of articles of asbestos or of mixtures with a basis of asbestos, or of mixtures with a basis of asbestos and magnesium carbonate.

Finished products		Working or processing that confers the status of "originating" products
Customs Tariff No.	Description	
ex 68.15	Articles of mica, including bonded mica splittings on a support of paper or fabric	Manufacture of articles of mica
ex 70.10	Cut-glass bottles	
ex 70.13	Cut glassware (other than articles of heading No. 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses.	Cutting of bottles the value of which does not exceed 50% of the value of the finished product Cutting of glassware the value of which does not exceed 50% of the value of the finished product
ex 70.20	Articles made from glass fibre	Manufacture from unworked glass fibre
ex 71.02	Precious and semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked precious and semi-precious stones

Finished products		Working or processing that confers the status of "originating" products
Customs Tariff No.	Description	
ex 71.03	Synthetic or reconstructed precious or semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport).	Manufacture from unworked synthetic or reconstructed precious or semi-precious stones
ex 71.05	Silver, including silver gilt and platinum plated silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought silver and silver alloys
ex 71.06	Rolled silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled silver
ex 71.07	Gold, including platinum-plated gold, semi-manufactured	Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold
ex 71.08	Rolled gold on base metal or silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled gold on base metal or silver
ex 71.09	Platinum and other metals of the platinum group, semi-manufactured	Rolling, drawing, beating or grinding of unwrought platinum and other metals of the platinum group

Finished products		Working or processing that confers the status of "originating" products
Customs Tariff No.	Description	
ex 71.10	Rolled platinum or other platinum group metals, on base metal or precious metal, semi-manufactured	Rolling, drawing, beating or grinding of unworked rolled platinum or other platinum group metals on base metal or precious metal
73.15	Alloy steel and high carbon steel in the forms mentioned in headings No. 73.06 to 73.14 (inclusive)	<p>Processing of alloy steel and high carbon steels in the forms mentioned in headings Nos. 73.06 to 73.14 (inclusive), involving transfer from one category below to another:</p> <ol style="list-style-type: none"> 1. Ingots, blooms, billets, slabs, sheet-bars (including triplate bars); 2. Pieces roughly shaped by forging; 3. Coils for re-rolling; universal plates; 4. Bars and rods (including wire rod and hollow mining drill steel) and angles, shapes and sections; 5. Hoop and strip; 6. Sheets and plates; 7. Wire, whether or not coated, but not insulated.

Finished products		Working or processing that confers the status of "originating" products
Customs Tariff No.	Description	
ex 74.01	Unrefined copper (blister copper and other)	Smelting of copper matte Fire-refining or electrolytic refining of unrefined copper (blister copper and other), copper waste or scrap Fusion and thermal treatment of refined copper, copper waste or scrap Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy Rolling, drawing or grinding of unwrought beryllium the value whereof does not exceed 50% of the value of the finished product Manufacture from unwrought tungsten the value whereof does not exceed 50% of the value of the finished product Manufacture from unwrought molybdenum the value whereof does not exceed 50% of the value of the finished product
ex 74.01	Refined copper	
ex 74.01	Copper alloy	
ex 75.01	Unwrought nickel (except anodes in heading No. 75.05)	
ex 77.04	Beryllium, wrought	
ex 81.01	Tungsten, wrought	
ex 81.02	Molybdenum, wrought	

Finished products		Working or processing that confers the status of "originating" products
Customs Tariff No.	Description	
ex 81.03	Tantalum, wrought	Manufacture from unwrought tantalum the value whereof does not exceed 50% of the value of the finished product
ex 81.04	Other base metals, wrought	Manufacture from other base metals, unwrought the value whereof does not exceed 50% of the value of the finished product
84.06	Internal combustion piston engines	Assembly in which the value of the parts used does not exceed 40% of the value of the finished product
ex 84.08	Engines and motors, excluding reaction engines and gas turbines	Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts used are "originating" products

¹ In determining the value of parts, the following must be taken into account:

- (a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;
- (b) in respect of other parts, the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Finished products		Working or processing that confers the status of "originating" products
Customs Tariff No.	Description	
ex 84.41	Sewing machines; furniture specially designed for sewing machines	<p>Assembly in which the value of the "non-originating" parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the parts¹ used for assembly of the head (motor excluded) are "originating" products, and</p> <p>(b) the thread tension, crochet and zigzag mechanisms are "originating" products</p> <p>Manufacture from worked tortoise-shell</p>
ex 95.01	Articles of tortoise-shell	

¹ In determining the value of parts, the following must be taken into account:

- (a) in respect of "originating" parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;
- (b) in respect of other parts, the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products
 - (ii) the value of products of undetermined origin

Finished products		Working or processing that confers the status of "Originating" products
Customs Tariff No.	Description	
ex 95.02	Articles of mother of pearl	Manufacture from worked mother of pearl
ex 95.03	Articles of ivory	Manufacture from worked ivory
ex 95.04	Articles of bone (excluding whalebone)	Manufacture from worked bone (excluding whalebone)
ex 95.05	Articles of horn, coral (natural or agglomerated) or of other animal carving material	Manufacture from worked horn, coral (natural or agglomerated) or other animal carving material
ex 95.06	Articles of vegetable carving material (for example, corozo)	Manufacture from worked vegetable carving material (for example, corozo)
ex 95.07	Articles of jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum	Manufacture from worked jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum
ex 98.11	Smoking pipes, pipe bowls	Manufacture from roughly shaped blocks of wood or root

LIST C

List of products temporarily
excluded from the scope of this Protocol

Customs Tariff No.	Description
ex 27.07	Assimilated aromatic oils as defined in Note 2 to Chapter 27, of which more than 65% by volume distills at a temperature of up to 250° C (including mixtures of petroleum spirit and benzol), intended for use as power or heating fuels
27.09) to 27.16)	Mineral oils and products of their distillation; bituminous substances; mineral waxes
ex 29.01	Hydrocarbons: acyclic cyclohexanes and cyclohexenes, excluding azulenes benzene, toluene, xylenes intended for use as power or heating fuels
ex 34.03	Lubricating preparations, containing petroleum oils or oils obtained from bituminous minerals, but not including preparations containing 70% or more by weight of petroleum oils or of oils obtained from bituminous minerals
ex 34.04	Waxes with a basis of paraffin wax, of petroleum waxes, of waxes obtained from bituminous minerals, of slack wax or of scale wax
ex 38.14	Prepared additives for lubricants
ex 38.19	Mixed alkylenes

REQUEST FOR CHECK ON
THIS MOVEMENT CERTIFICATE A. M. 1

The undersigned Customs official requests a check on the authenticity and correctness of this certificate.

Place and date of signature

Official
stamp

.....
(Official's signature)

RESULT OF CHECK

A check carried out by the undersigned Customs official shows that this movement certificate A. M. 1:

1. was issued by the Customs office indicated, and that the information contained therein is accurate¹;
2. does not meet the requirements as to authenticity and correctness (see notes appended)¹.

Place and date of signature

Official
stamp

.....
(Official's signature)

¹ Delete where not applicable.

I. GOODS IN RESPECT OF WHICH A MOVEMENT CERTIFICATE A. M. 1 MAY BE ENDORSED

A movement certificate A. M. 1 may be endorsed only in respect of those goods which, in the exporting country, fall within one of the following categories:

Category 1

Goods wholly obtained either in the Member States* or in Malta. The following shall be considered as wholly obtained either in the Member States or in Malta:

- (a) mineral products extracted from the ground thereof;
- (b) vegetable products harvested therein;
- (c) live animals born and raised therein;
- (d) products from live animals raised therein;
- (e) products obtained by hunting or fishing conducted therein;
- (f) marine products taken from the sea by their vessels;
- (g) scrap and waste resulting from manufacturing operations and used articles, provided that they have been collected therein and are fit only for the recovery of raw materials;
- (h) goods obtained therein exclusively from animals or products referred to in sub-paragraphs (a) to (g) above or derivatives thereof.

Category 2

Goods obtained in the Member States or in Malta, in the manufacture of which are used only products originally imported from Malta or

the Member States and which, on their exportation from such country, met the conditions required for obtaining a movement certificate A. M. 1, and also, where appropriate, products falling under category 1 above.

Category 3

Goods obtained in the Member States or in Malta, in the manufacture of which products other than those falling under categories 1 or 2 above are used, provided that the said products (hereinafter referred to as "other" products) have undergone working or processing operations:

- (a) which result in the goods obtained being classified under a tariff heading** other than the tariff heading covering each of the "other" products used, unless the operations carried out appear in List A annexed to the Protocol on the definition of the concept of "originating" products and on methods of administrative co-operation;
- (b) or which, although appearing in List A referred to in sub-paragraph (a) above, meet the special conditions laid down in respect of them in the said list A;
- (c) or which do not result in the goods obtained being classified under a tariff heading other than the tariff heading covering each of the "other" products used, but appear in List B annexed to the Protocol on the definition of the concept of "originating" products and on methods of administrative co-operation.

II. SCOPE OF MOVEMENT CERTIFICATE A. M. 1

The movement certificate A. M. 1 may be used only if the goods to which it relates are transported directly from the exporting country to the importing country.

The following shall be considered as transported directly from the exporting country to the importing country:

- (a) goods transported without passing through territory other than that of the Contracting Parties;

- (b) goods transported through territory other than that of the Contracting Parties or transhipped in such territories, if the passage through such territories is covered by a single transport document drawn up in a Member State or in Malta;
- (c) goods which are transhipped in ports situated in territory other than that of the Contracting Parties where such transshipment is the result of force majeure or of events occurring at sea.

III. RULES FOR MAKING OUT MOVEMENT CERTIFICATES A. M. 1

1. The movement certificate A. M. 1 must be made out in one of the languages in which the Agreement is drawn up, and in conformity with the provisions of the national law of the exporting country.
2. Entries on the movement certificate A. M. 1 shall be typed or handwritten; in the latter case it shall be completed in ink and in capital letters. It must contain neither erasures nor words written over one another. Any alterations must be made by deleting the incorrect particulars and by adding whatever corrections may be needed. Any such alteration must be approved by the person who has completed the certificate and must be endorsed by the Customs authorities.

3. Each item on the movement certificate A. M. 1 must be preceded by a serial number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later addition impossible.
4. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.
5. The exporter or carrier may include a reference to the transport document in the part of the certificate reserved for the declaration by the exporter. The exporter or the carrier is also advised to enter the serial number of the certificate A. M. 1 on the transport document under which the goods are consigned.

IV. EFFECT OF MOVEMENT CERTIFICATE A. M. 1

When correctly used, the movement certificate A. M. 1 enables the goods described therein to benefit in the importing country from the provisions of the Agreement between the EEC and Malta.

The Customs authorities of the importing country may, if they consider it to be necessary, require submission of any other supporting documentary evidence, in particular the transport documents under which the goods are consigned.

V. TIME-LIMIT FOR SUBMISSION OF MOVEMENT CERTIFICATE A. M. 1

The movement certificate A. M. 1 must be submitted to the Customs office of the importing country at which the goods are presented,

within four months of the date of its endorsement.

* The Member States are: The Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands in Europe.

** Tariff headings shall mean the tariff headings in the Brussels Nomenclature.

DECLARES that these goods were obtained in and fall under category¹ listed in Note I on the back of the movement certificate A. M. 1

SPECIFIES as follows the circumstances which have conferred the status of "originating" products on these goods²:

.....
.....
.....
.....

SUBMITS the following supporting documents³:

.....
.....
.....
.....

UNDERTAKES to submit, at the request of the appropriate authorities, any additional supporting evidence which these authorities may require for the purpose of issuing this certificate, and undertakes, if required, to agree to any inspection of his accounts and any check on the processes of manufacture of the above goods, carried out by the said authorities.

REQUESTS the issue of a movement certificate A. M. 1 for these goods.

Place and date of signature

.....
(Exporter's signature)

¹ State the category number and indicate the corresponding subparagraph where appropriate.
² To be completed if products originating in a third country, or products of undetermined origin, have been used in the manufacture of the goods in question.
Indicate the products used, their tariff heading, their origin and, where appropriate, the manufacturing processes qualifying the goods as originating in the country of manufacture (application of List B or of the special conditions laid down in List A), the goods obtained and their tariff heading.
If, as a condition for conferring the status of "originating" product on the goods obtained, the value of the products used may not exceed a certain percentage of the value of these goods, indicate:
(a) for the products used:
— the value for customs purposes, where these products originate in third countries;
— the earliest verifiable price paid for the said products in the territory of the State in which manufacture takes place, where the products in question are of undetermined origin;
(b) for the goods obtained: the ex-works price, i. e. the price paid to the manufacturer in whose undertaking the working or processing has been carried out. Where such working or processing has been carried out in two or more undertakings, the price to be taken into account is that paid to the last manufacturer.
³ For example, import documents, invoices, etc. relating to the products used.

... Tariff headings shall mean the tariff heading in the Brussels Nomenclature.
 ... The Member States are: The Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands in Europe.
 * A form A. M. 2 may only be made out if the value of the goods in question does not exceed 1000 units of account for each consignment.

- (a) which result in the goods obtained being classified under a tariff heading other than the tariff heading covering each of the "other" products used, unless the operations carried out appear in List A annexed to the Protocol on the definition of the concept of "originating" products and on methods of administrative co-operation;
- (b) or which, although appearing in List A referred to in sub-paragraph (a) above, meet the special conditions laid down in respect of them in the said List A;
- (c) or which do not result in the goods obtained being classified under a tariff heading other than the tariff heading covering each of the "other" products used, but appear in List B annexed to the Protocol on the definition of the concept of "originating" products and on methods of administrative co-operation.

Goods obtained in the Member States or in Malta, in the manufacture of which products other than those falling under categories 1 or 2 above are used, provided that the said products (hereinafter referred to as "other products") have undergone working or processing operations:

Category 3

Goods obtained in the Member States or in Malta, in the manufacture of which are used only products originally imported from Malta or the Member States and which, on their exportation from such country, met the conditions required for obtaining a movement certificate A. M. 1 and also, where appropriate, products falling under category 1 above.

Category 2

The following shall be considered as wholly obtained either in the Member States or in Malta:
 (a) mineral products extracted from the ground thereof;
 (b) vegetable products harvested therein;
 (c) live animals born and raised therein;
 (d) products from live animals raised therein;
 (e) products obtained by hunting or fishing conducted therein;
 (f) marine products taken from the sea by their vessels;
 (g) scrap and waste resulting from manufacturing operations and used articles, provided that they have been collected therein and are fit only for the recovery of raw materials;
 (h) goods obtained therein exclusively from animals or products referred to in subparagraphs (a) to (g) above or derivatives thereof.

Category 1

A movement certificate A. M. 1 may be endorsed or a form A. M. 2 may be made out only in respect of those goods which, in the exporting country, fall within one of the following categories:

GOODS IN RESPECT OF WHICH A MOVEMENT CERTIFICATE A. M. 1 MAY BE ENDORSED OR A FORM A. M. 2 MAY BE MADE OUT

FORM A. M. 2

(PART 1)

CEE — MALTA ASSOCIATION	LABEL A. M. 2 A 000000
Declaration by the exporter	Description of goods
The undersigned, exporter of the goods described here and contained in this declaration,	 Description of goods
— declares that they are in (exporting country) and meet the requirements set out on the back of part 2 of this declaration,	
— undertakes to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require and to agree to any inspection of his accounts and any check on the processes of manufacture of the goods described here, by these authorities.	
— Country of destination:	
Place and date of signature	Observations:
Exporter (Name and first name, or business name, and full address of the exporter)	Authorities in the exporting country responsible for checks on declarations by exporters

TO BE INSERTED IN THE CONSIGNMENT

the references of any check already carried out by the appropriate authorities.

(Exporter's signature)
Description of goods
LABEL A. M. 2 000000

(PART 2)

— This label (to the right) is to be detached and stuck to the outer packing of the postal packet or parcel.
 — The exporter must sign the label. He may also stamp it.

NOTE

REQUEST FOR CHECK	RESULT OF CHECK
<p>The undersigned Customs official requests a check on the exporter's declaration appearing on the front of this form A. M. 2*.</p> <p>Place and date of signature</p> <p>Official stamp</p> <p>..... (Official's signature)</p>	<p>A check carried out by the undersigned official shows that:</p> <p>(1) the details given on this label are accurate¹;</p> <p>(2) this label A. M. 2 does not meet the requirements to correctness (see notes appended)¹.</p> <p>Place and date of signature</p> <p>Official stamp</p> <p>..... (Official's signature)</p> <p>¹ Delete where not applicable.</p>

* Checks on forms A. M. 2 are to be carried out at random and also whenever the Customs authorities of the importing country have reasonable doubt as to the true origin of the goods in question or of certain parts thereof.

The Customs authorities of the importing country are to return to the authorities responsible for checking in the exporting country the form A. M. 2 contained in the consignment, giving the formal or substantive reasons for an inquiry. Wherever possible they attach to this form the invoice which has been presented to them, or a copy thereof, and forward any information which it has been possible to obtain and which suggests that the particulars given on the form A. M. 2 are inaccurate.

If the Customs authorities of the importing country decide to suspend execution of the provisions of the Agreement while awaiting the results of the check, they must order to release the goods to the importer subject to any conservatory measures deemed necessary.

FINAL ACT

The Plenipotentiaries of

the Council of the European Communities,
of the one part, and
of the Government of Malta,
of the other part,

assembled at Valletta on this fifth day of December in the
year one thousand nine hundred and seventy

for the purpose of signing the Agreement establishing an
Association between the European Economic Community and
Malta,

have, at the time of signing this Agreement,

- adopted the following Joint Declarations by the
Contracting Parties :

1. Joint Declaration by the Contracting Parties concerning
co-operation and contacts between the European
Parliament and the Maltese Parliament,
2. Joint Declaration by the Contracting Parties concerning
amendments to the Customs Tariffs and to the import
regulations,
3. Joint Declaration by the Contracting Parties concerning
Article 2 of the Agreement,
4. Joint Declaration by the Contracting Parties concerning
Article 2 of Annex I,

- and have taken note of the following Declarations
by the Maltese Delegation :

1. Declaration by the Maltese Delegation concerning
Article 3 of Annex II
2. Declaration by the Maltese Delegation concerning
Article 6 of Annex II

The aforementioned Declarations are annexed to this
Final Act.

The Plenipotentiaries have agreed that these
Declarations shall, in so far as necessary, be subject,
under the same conditions as the Agreement, to the
procedures required to ensure their validity.

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diese Schlussakte gesetzt.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent Acte final.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente Atto finale.

TEN BLIJKE WAARVAN de ondergetekende gevolmachtigden hun handtekening onder deze Slotakte hebben gesteld.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have affixed their signatures below the Final Act.

Geschehen zu Valletta am fünften Dezember neunzehnhundertsiebzig.

Fait à La Valette, le cinq décembre mil neuf cent soixante-dix.

Fatto a La Valletta, il cinque dicembre millenovecentosettanta.

Gedaan te Valletta, de vijfde december negentienhonderdzeventig.

Done at Valletta on this fifth day of December in the year one thousand nine hundred and seventy.

Im Namen des Rates der Europäischen Gemeinschaften,
Pour le Conseil des Communautés Européennes,
Per il Consiglio delle Comunità Europee,
Voor de Raad der Europese Gemeenschappen,
For the Council of the European Communities,

Sigismund von BRAUN

Franco Maria MALFATTI

Mit dem Vorbehalt, dass für die Europäische Wirtschaftsgemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie der anderen Vertragspartei notifiziert hat, dass die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren, namentlich die Anhörung des Europäischen Parlaments, stattgefunden haben.

Sous réserve que la Communauté Economique Européenne ne sera définitivement engagée qu'après notification à l'autre Partie contractante de l'accomplissement des procédures requises par le Traité instituant la Communauté Economique Européenne et notamment la consultation de l'Assemblée.

Con riserva che la Comunità Economica Europea sarà definitivamente vincolata soltanto dopo la notifica all'altra Parte contraente dell'espletamento delle procedure richieste dal Trattato che istituisce la Comunità Economica Europea e, in particolare, dell'avvenuta consultazione del Parlamento Europeo.

Onder voorbehoud dat de Europese Economische Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstsluitende Partij van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures, met name van de raadpleging van het Europees Parlement.

Provided that the Community shall be finally bound only after the other Contracting Party has been notified that the procedures required by the Treaty establishing the European Economic Community, and, in particular, consultation of the European Parliament, have been completed.

Im Namen der Regierung Maltas,
Pour le Gouvernement de Malte,
Per il Governo di Malta,
Voor de Regering van Malta,
For the Government of Malta,

Giorgio BORG OLIVIER

Annex

Joint Declaration by the Contracting Parties
concerning co-operation and contacts between
the European Parliament and the Maltese Parliament

The Contracting Parties agree to take all appropriate
measures in order to facilitate co-operation and contacts
between the European Parliament and the Maltese Parliament.

Joint Declaration by the Contracting Parties
concerning amendments
to the Customs Tariffs and to the import regulations

The Contracting Parties agree to notify each other with
the least possible delay of any amendments made to their
respective customs tariffs, or to the regulations governing
their import trade.

Joint Declaration by the Contracting Parties
concerning Article 2 of the Agreement

1. Malta envisages the progressive establishment, during the course of the second stage, of a customs union with the Community. To this end, the products mentioned in List A to Annex II of the Agreement shall, as from the commencement of the second stage, be subject to an initial reduction vis-à-vis the Community of at least 35% of customs duties and taxes having an equivalent effect.
 2. The Community envisages granting Malta, from the commencement of the second stage, exemption from customs duties and taxes having equivalent effect in respect of products referred to in Article 1 of Annex I of the Agreement.
 3. The procedures for the introduction by Malta of the common customs tariff, the elimination of the customs duties and quantitative restrictions applied vis-à-vis the Community, complementary provisions for the proper implementation of the customs union, and the special arrangements for the importation into the Community of agricultural products, which latter arrangement shall take due account of the common agricultural policy of the Community, shall be determined during the course of negotiations for transition to the second stage.
-

Joint declaration by the Contracting Parties
concerning Article 2 of Annex I

The Contracting Parties, taking into consideration the undertaking by Malta to apply the common customs tariff during the second stage of the Agreement, agree that, for the purpose of the implementation of the Protocol on the definition of "originating" products and on methods of administrative co-operation, the special provisions mentioned in List A to that Protocol shall not be applicable, during the first stage, to imports, made under the conditions laid down in Article 2 of Annex I, of products falling under tariff heading 56.04 (man-made fibres discontinuous or waste -, carded, combed or otherwise prepared for spinning) and 61.01 (mens' and boys' outer garments).

Declaration by the Maltese Delegation
concerning Article 3 of Annex II

The Government of Malta declares that it is prepared to make, before the end of the first stage of the Agreement, the necessary amendments to its customs tariff in order to distinguish customs duties from taxes pertaining to the internal fiscal system within the meaning of Article 4 of the Agreement.

Declaration by the Maltese Delegation
concerning Article 6 of Annex II

The Government of Malta declares that it is prepared to take the necessary steps to procure that, during the first stage of the Agreement, imports which are still subject to quantitative restrictions shall be freed from such restrictions as early as possible and to the extent compatible with the proper development of the Maltese economy.

It also declares that it is prepared to ensure that, when products still subject to quantitative restrictions are imported, normal conditions of competition, are respected.

Information on the date of the entry into force of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta

The exchange of the instruments giving notice of the completion of the procedures necessary for the entry into force of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta, signed in Brussels on 4 March 1976, having taken place on 30 April 1976 in Brussels, the Protocol will enter into force on 1 June 1976 in accordance with Article 25 of the same.

The date of the entry into force of the Financial Protocol will be published in the *Official Journal of the European Communities* once the procedures laid down in Article 18 of the same have been completed.

ADDITIONAL PROTOCOL

to the Agreement establishing an association between the European Economic Community and Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
of the one part,

THE GOVERNMENT OF THE REPUBLIC OF MALTA,
of the other part,

HAVE DECIDED to extend the first stage of the Agreement establishing an association between the European Economic Community and Malta, signed in Valletta on 5 December 1970, and to this end have designated as their Plenipotentiaries :

THE COUNCIL OF THE EUROPEAN COMMUNITIES :

Joseph VAN DER MEULEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Belgium,
Chairman of the Permanent Representatives Committee ;

Roland de KERGORLAY,
Assistant Director General of the Directorate-General for External Relations of the Commission of the European Communities ;

THE GOVERNMENT OF THE REPUBLIC OF MALTA :

Josef von FERENCZY,
Ambassador Extraordinary and Plenipotentiary of the Republic of Malta to the European Economic Community ;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS :

TITLE 1**Trade***Article 1*

1. The first stage of the Agreement establishing an association between the European Economic Community and Malta is hereby extended until 31 December 1980.
2. Negotiations are provided for during the twelve months preceding the expiry of the first stage, with a view to defining the content of the second stage.

Article 2

The provisions governing the first stage of the Agreement establishing an association between the European Economic Community and Malta, including those of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta, signed on 4 March 1976, shall be supplemented by the following provisions.

Article 3

1. Subject to the special provisions laid down in Article 5 of this Protocol, products originating in Malta, other than those appearing in Annex II to the Treaty establishing the European Economic Community, in Lists A and B of Annex I to the Agreement and in Article 4 of this Protocol, shall be exempt from payment of customs duty on entry into the Community.

2. Article 3 of Annex I to the Agreement shall be replaced by the following :

'Article 3

For the following goods obtained from the processing of agricultural products, the exemption referred to in Article 3 (1) of the Additional Protocol shall be applied to the fixed component of the charge levied on imports of those goods into the Community :

CCT heading No	Description
18.06	Chocolate and other food preparations containing cocoa
19.03	Macaroni, spaghetti and similar products
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion'

3. The products falling within the following tariff headings shall be added to List A of Annex I to the Agreement :

CCT heading No	Description
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages : B. Compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages C. Spirituous beverages

4. Products falling within heading No 18.06 (chocolate and other food preparations containing cocoa) shall be deleted from List A of Annex I to the Agreement.

Products falling within heading No 55.09 (other woven fabrics of cotton) shall be deleted from List B of Annex I to the Agreement.

Article 4

The following products, originating in Malta, shall, on entry into the Community, be subject to the customs duty indicated in respect of each :

CCT heading No	Description	Rate of customs duty
21.05	Soups and broths, in liquid, solid or powder form ; homogenized composite food preparations :	
	A. Soups and broths, in liquid, solid or powder form	5.4 %
22.03	Beer made from malt	7.2 %

Article 5

Article 2 of Annex I to the Agreement shall be replaced by the following :

'Article 2

1. For the following products, originating in Malta, the Community shall open annual Community tariff quotas for 1977 which shall be exempt from payment of customs duty within the limit of the quantities indicated below :

CCT heading No	Description	Annual Community tariff quota
55.05	Cotton yarn, not put up for retail sale	1 200 tonnes
55.09	Other woven fabrics of cotton	100 tonnes
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	800 tonnes
60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	216 tonnes
61.01	Men's and boys' outer garments	81.5 tonnes

2. If the date of the opening of the quotas referred to in paragraph 1 does not coincide with the beginning of the calendar year, they shall be opened on a *pro rata* basis.

3. As from 1 January 1978, imports into the Community of the products referred to in paragraph 1 shall be subject to annual indicative ceilings, above which the customs duties applicable to third countries may be reintroduced in accordance with paragraphs 4 to 7. The amounts of the ceilings for 1978 shall be the amounts specified in paragraph 1 increased by 5%. These ceilings shall be increased annually by 5%.

4. If, over two consecutive years, imports of a product subject to ceilings are less than 90% of the amount fixed, the Community shall suspend the application of those ceilings.

5. In the event of cyclical difficulties, the Community reserves the right, after consultation within the Association Council, to apply for any year the same amount as that fixed for the preceding year.

6. The Community shall notify the Association Council on 1 December of each year of the list of products subject to ceilings in the following year and of the amounts of the ceilings.

7. By way of derogation from Article 3 (1) of the Additional Protocol, when a ceiling fixed for the importation of a product covered by paragraph 1 is reached, Common Customs Tariff duties may be charged again on imports of the product in question until the end of the calendar year.

Article 6

For the products covered by Article 59 (1) (b) of the Act of Accession, Article 4 of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta shall remain applicable until 31 December 1977.

Article 7

For the following product, originating in Malta, the Community shall open, for the period 1 July 1977 to 30 June 1978, a Community tariff quota free of customs duties for the volume indicated:

CCT heading No	Description	Community tariff quota
16.02	Other prepared or preserved meat or meat offal : B. Other : III. Other : b) Other : 1. Containing bovine meat or offal : bb) Other	650 tonnes

Article 8

1. The customs duties and charges having equivalent effect applicable to products originating in the Community when imported into Malta shall be those actually applied in Malta on 1 July 1977.

2. Any changes made by Malta in the customs duties and charges having equivalent effect applied *vis-à-vis* third countries must not have the effect of diminishing the percentage preference enjoyed by the Community in relation to third countries.

Article 9

In the event of modifications to the nomenclature of the customs tariffs of the Contracting Parties affecting products referred to in the Agreement, the Association Council may adapt the tariff nomenclature of those products as it appears in the Agreement.

TITLE II

Rules of origin

Article 10

1. A derogation from the rules of origin contained in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation, annexed to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta, hereinafter called the Origin Protocol, shall be granted for the following products.

2. By way of derogation from the special provisions in Annex II to the Origin Protocol for heading No 16.02 to the effect that non-originating products from Chapter 2 must not be used, canned stewed steak manufactured in Malta shall be regarded as a product originating in Malta even though this condition is not observed, provided that the other conditions applicable to this heading are satisfied.

The following entry must be made in box 7 of movement certificates EUR.1, issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation stewed steak'.

This derogation shall apply until 30 June 1978.

3. By way of derogation from the special provisions in Annex II to the Origin Protocol for heading No 18.06 to the effect that non-originating products from Chapter 17 may not represent more than 30 % of the value of the finished product, chocolates manufactured in Malta shall be regarded as products originating in Malta even though this condition is not observed, provided that the other conditions applicable to this heading are satisfied.

The following entry must be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation chocolates'.

This derogation shall apply until 31 December 1978.

4. By way of derogation from the special provisions in Annex II to the Origin Protocol for heading No 85.15 to the effect that at least 50 % in value of the materials and parts used must be originating products, intermediate-frequency transformers manufactured in Malta shall be regarded as products originating in Malta even though this condition is not observed, provided that the other conditions relating to this heading are satisfied.

The following entry must be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation IFT'.

This derogation shall apply until 30 June 1978.

5. By way of derogation from the special provisions in Annex II to the Origin Protocol for heading No 85.15 to the effect that non-originating transistors may not represent more than 3 % of the value of the finished product, reception apparatus manufactured in Malta shall be regarded as a product originating in Malta even though this condition is not observed, provided that the other conditions relating to this heading are satisfied.

The following entry must be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation radios'.

This derogation shall apply until 30 June 1978.

6. By way of derogation from the special provisions in Annex II to the Origin Protocol for heading No 92.11 to the effect that non-originating transistors may not represent more than 3 % of the value of the finished product, tape recorders manufactured in Malta shall be regarded as products originating in Malta if the value of the non-originating transistor does not exceed 5 % of the value of the finished product, provided that the other conditions relating to this heading are satisfied.

The following entry must be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation tape recorders'.

This derogation shall apply until 30 June 1978.

TITLE III

General and final provisions

Article 11

This Protocol forms an integral part of the Agreement establishing an association between the European Economic Community and Malta.

Article 12

1. This Protocol shall be subject to ratification, acceptance or approval, in accordance with the procedures of the Contracting Parties, who shall notify each other of the completion of the procedures necessary to that end.

2. This Protocol shall enter into force on the first day of the second month following the month in which the notifications referred to in paragraph 1 have been effected.

Article 13

This Protocol is drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne protokol.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Protokoll gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Protocol.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent protocole.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente protocollo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder dit Protocol hebben gesteld.

Udfærdiget i Bruxelles, den syvogtyvende oktober nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am siebenundzwanzigsten Oktober neunzehnhundertsiebenund-siebzig.

Done at Brussels on the twenty-seventh day of October in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-sept octobre mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventisette ottobre millenovecentosettantasette.

Gedaan te Brussel, de zevenentwintigste oktober negentienhonderd zevenenzeventig.

På Rådet for De europæiske Fællesskabers vegne

Für den Rat der Europäischen Gemeinschaften

For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen

V. van der Meulen

M. H. K. K. K.

For republikken Maltas regering

Für die Regierung der Republik Malta

For the Government of the Republic of Malta

Pour le gouvernement de la république de Malte

Per il governo della Repubblica di Malta

Voor de Regering van de Republiek Malta

F. M. M.

FINAL ACT

The Plenipotentiaries of

the Council of the European Communities,
of the one part, and

the Government of the Republic of Malta,
of the other part,

meeting in Brussels on the twenty-seventh day of October in the year one thousand nine hundred and seventy-seven for the signature of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta,

have, on signing this Protocol, adopted the joint declaration by the Contracting Parties on the application of Article 17 of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta.

The Plenipotentiaries have agreed that this declaration shall be subjected, in the same manner as the Protocol, to any procedures that may be necessary to ensure its validity.

Udfærdiget i Bruxelles, den syvogtyvende oktober nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am siebenundzwanzigsten Oktober neunzehnhundertsiebenund-siebzig.

Done at Brussels on the twenty-seventh day of October in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-sept octobre mil neuf cent soixante-dix-sept.

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På Rådet for De europæiske Fællesskabers vegne

Für den Rat der Europäischen Gemeinschaften

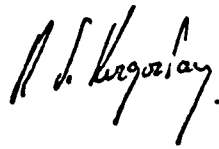
For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen





For republikken Maltas regering

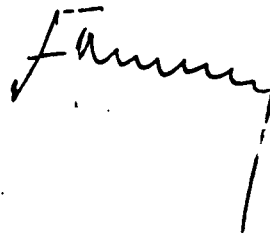
Für die Regierung der Republik Malta

For the Government of the Republic of Malta

Pour le gouvernement de la république de Malte

Per il governo della Repubblica di Malta

Voor de Regering van de Republiek Malta



*ANNEX***Joint declaration by the Contracting Parties on the application of Article 17 of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta**

In the course of the negotiations which led to the conclusion of the Additional Protocol between the European Economic Community and the Republic of Malta it was stated that on the occasion of the review referred to in Article 17 of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta, the Contracting Parties would examine the tariff treatment applied by Malta to products originating in the Community.

Information concerning the date of entry into force of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta

Since the exchange of instruments notifying completion of the procedures necessary for the entry into force of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta, signed in Brussels on 27 October 1977, took place on 30 November 1977 in Brussels, the Protocol will enter into force in accordance with Article 12 thereof on 1 January 1978 .

**Information on the date of entry into force of various Agreements or Protocols
with certain countries of the Mediterranean basin**

- The notification procedures provided for in Article 18 of the Financial Protocol between the EEC and the Republic of Malta, signed in Brussels on 4 March 1976 having been completed on 28 September 1978, the Protocol will enter into force on 1 November 1978.
- The notification procedures provided for in Article 59 of the Cooperation Agreement between the EEC and the Republic of Tunisia (1) and in Article 13 of the Agreement between the Member States of the European Coal and Steel Community and the Republic of Tunisia signed in Tunis on 25 April 1976 having been completed on 28 September 1978, these Agreements will enter into force on 1 November 1978.
- The notification procedures provided for in Article 58 of the Cooperation Agreement between the EEC and the People's Democratic Republic of Algeria (2) and in Article 13 of the Agreement between the Member States of the European Coal and Steel Community and the People's Democratic Republic of Algeria signed in Algiers on 26 April 1976 having been completed on 28 September 1978, these Agreements will enter into force on 1 November 1978.
- The notification procedures provided for in Article 60 of the Cooperation Agreement between the EEC and the Kingdom of Morocco (3) and in Article 13 of the Agreement between the Member States of the European Coal and Steel Community and the Kingdom of Morocco signed in Rabat on 27 April 1976 having been completed on 29 September 1978, these Agreements will enter into force on 1 November 1978.
- The notification procedures provided for in Article 51 of the Cooperation Agreement between the EEC and the Arab Republic of Egypt (4) signed in Brussels on 18 January 1977 having been completed on 28 September 1978, the Agreement will enter into force on 1 November 1978.
- The notification procedures provided for in Article 48 of the Cooperation Agreement between the EEC and the Hashemite Kingdom of Jordan (5) signed in Brussels on 18 January 1977 having been completed on 29 September 1978, the Agreement will enter into force on 1 November 1978.
- The notification procedures provided for in Article 49 of the Cooperation Agreement between the EEC and the Syrian Arab Republic (6) signed in Brussels on 18 January 1977 having been completed on 28 September 1978, the Agreement will enter into force on 1 November 1978.
- The notification procedures provided for in Article 49 of the Cooperation Agreement between the EEC and the Lebanese Republic (7) signed in Brussels on 3 May 1977 having been carried out on 28 September 1978, the Agreement will enter into force on 1 November 1978.
- The notification procedures provided for in Article 16 of the Additional Protocol to the Agreement between the EEC and the State of Israel (8) and in Article 13 of the Protocol on Financial Cooperation between the EEC and the State of Israel signed in Brussels on 8 February 1977 having been completed on 28 September 1978, these Protocols will enter into force on 1 November 1978.

(1) OJ No L 265, 27. 9. 1978, p. 2.
 (2) OJ No L 263, 27. 9. 1978, p. 2.
 (3) OJ No L 264, 27. 9. 1978, p. 2.

(4) OJ No L 266, 27. 9. 1978, p. 2.
 (5) OJ No L 268, 27. 9. 1978, p. 2.
 (6) OJ No L 269, 27. 9. 1978, p. 2.
 (7) OJ No L 267, 27. 9. 1978, p. 2.
 (8) OJ No L 270, 27. 9. 1978, p. 2.

COLLECTED ACTS - EEC - MALTA ASS.

AGREEMENT

extending the provisions governing the first stage of the Agreement establishing an association between the European Economic Community and Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF MALTA,

of the other part,

CONSIDERING that the provisions governing the first stage of the Agreement establishing an association between the European Economic Community and Malta, signed at Valletta on 5 December 1970, hereinafter referred to as 'the Agreement', expire on 31 March 1976,

CONSIDERING that the Contracting Parties have made it their aim to negotiate a second stage providing for a further elimination of obstacles to trade between the European Economic Community and Malta and the adoption by Malta of the Common Customs Tariff;

RECOGNIZING that it has proved impossible to open the negotiations relating to the definition of the content of the second stage within the prescribed time;

HAVE DECIDED to extend the provisions governing the first stage of the Agreement until the entry into force of the second stage but not later than 30 June 1977, and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Jean DONDELINGER,

Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Luxembourg,
Chairman of the Permanent Representatives Committee;

Theodorus HIJZEN,

Director-General of External Relations of the Commission of the European Communities;

THE GOVERNMENT OF THE REPUBLIC OF MALTA:

Joseph Attard KINGSWELL,

Ambassador Extraordinary and Plenipotentiary,

Permanent Delegate of the Republic of Malta to the European Economic Community;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

Article 2 (2) of the Agreement shall be replaced by the following:

'2. The Agreement provides for two successive stages. The provisions governing the first stage shall apply until the entry into force of the provisions governing the second stage but not later than 30 June 1977. The second stage shall be, in principle, of five years' duration.'

COLLECTED ACTS - EEC - MALTA ASS.

(OJ No L 61, 14.3.1971)

COUNCIL REGULATION (EEC) No 492/71
of 1 March 1971

on the conclusion of the Agreement establishing an Association between the European Economic Community and Malta and laying down provisions for its implementation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof,

Having regard to the report from the Commission,

Having consulted the European Parliament;

Whereas it is necessary to conclude the Agreement establishing an Association between the European Economic Community and Malta, signed in Valetta on 5 December 1970;

Whereas it is also necessary to determine the procedures to be followed in arriving at the position to be adopted by the Community in the Association Council set up under the Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement establishing an Association between the European Economic Community and Turkey, the Annexes and

the Protocol appended thereto, and the Final Act and the Declarations annexed thereto, are concluded, approved and confirmed on behalf of the European Economic Community.

The texts of the Agreement and the Final Act are annexed to this Regulation.

Article 2

Pursuant to Article 18 of the Agreement, the President of the Council of the European Communities hereby gives notice that the necessary procedures for the entry into force of the Agreement have been completed.

Article 3

The position to be adopted by the Community within the Association Council shall be laid down by the Council of the European Communities, acting on a proposal from the Commission in accordance with the provisions of the Treaty.

Article 4

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

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

Done at Brussels, 1 March 1971.

For the Council
The President
M. SCHUMANN

Article 2

1. This Agreement shall require ratification, acceptance or approval in accordance with the procedures of the Contracting Parties who shall notify each other of the completion of the procedures necessary to that end.
2. This Agreement shall enter into force on the first day of the month following the date on which the notifications referred to in paragraph 1 have been effected.

Article 3

This Agreement is drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

Information concerning the date of entry into force of the Agreement extending the provisions governing the first stage of the Agreement establishing an association between the EEC and Malta

As the exchange of instruments of notification of the completion of the procedures required for the entry into force of the Agreement extending the provisions governing the first stage of the Agreement establishing an association between the EEC and Malta, signed in Brussels on 27 February 1976, took place on 30 March 1976, the Agreement will enter into force on 1 April 1976 in accordance with Article 2 of that Agreement.

COUNCIL REGULATION (EEC) No 939/76

of 23 April 1976

concluding the Financial Protocol and the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof,

Having regard to the recommendation from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta and a Financial Protocol should be concluded and the Declarations and the Exchange of Letters annexed to the Final Act should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol laying down certain provisions relating to the Agreement establishing an association between

the European Economic Community and Malta, the Financial Protocol and the Declarations and the Exchange of Letters annexed to the Final Act are hereby concluded, approved and confirmed on behalf of the Community.

The texts of the Protocols and of the Final Act are annexed to this Regulation.

Article 2

The President of the Council shall, as far as the Community is concerned, give the notification provided for in Article 25 of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta.

The President of the Council, shall as far as the Community is concerned, take the necessary measures concerning the exchange of the act of notification of conclusion provided for in Article 18 of the Financial Protocol.

Article 3

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

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

Done at Brussels, 23 April 1976.

For the Council

The President

G. THORN

28. 4. 76

Official Journal of the European Communities

No L 111/3

PROTOCOL

laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE GOVERNMENT OF THE REPUBLIC OF MALTA,

of the other part,

HAVE DECIDED to determine by mutual agreement certain transitional measures and adaptations to the Agreement establishing an association between the European Economic Community and Malta signed at Valletta on 5 December 1970 which are necessary consequent on the enlargement of the Community and to include therein supplementary measures to reinforce and extend economic relations existing under that Agreement, and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Jean DONDELINGER,

Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Luxemburg, Chairman of the Permanent Representatives Committee;

Theodorus HIJZEN,

Director-General of External Relations of the Commission of the European Communities;

THE GOVERNMENT OF THE REPUBLIC OF MALTA:

Joseph Attard KINGSWELL,

Ambassador Extraordinary and Plenipotentiary, Permanent Delegate of the Republic of Malta to the European Economic Community,

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

TITLE I

Measures of adaptation

Article 1

The text of the Agreement and the declarations annexed to the Final Act drawn up in Danish and annexed to this Protocol are authentic in the same way as the original texts.

Article 2

The annual tariff quotas for Malta in application of Article 2 of Annex I to the Agreement shall be increased as follows:

CCT heading No	Description	Annual Community tariff quota (in metric tons)
55.05	Cotton yarn, not put up for retail sale	910
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	800
60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	190
61.01	Men's and boys' outer garments	730

TITLE II

Transitional measures

Article 3

Denmark shall apply in respect of Malta the reductions in customs duties and charges having equivalent effect provided for in Articles 1, 2, 3 and 5 of Annex I to the Agreement and at rates shown therein.

However, the duties thus reduced may in no case be lower than those applied by Denmark in respect of the Community as originally constituted.

Article 4

1. Ireland and the United Kingdom shall apply to imports originating in Malta the customs duties and rules of origin applied in respect of Malta at the time of entry into force of this Protocol.

This provision shall apply until the entry into force of the provisions governing the second stage but not later than 30 June 1977.

2. Products originating in Malta conforming to the provisions of the Protocol annexed in respect of which the rates of customs duties and charges having equivalent effect, reduced in accordance with Articles 1, 2, 3 and 5 of Annex I to the Agreement and calculated in accordance with Article 5, and in accordance with Articles 13 and 14 of this Protocol, and calculated in accordance with Article 15 are lower than the customs duties and charges having equivalent effect applied by Ireland and the United Kingdom in respect of Malta at the time of entry into force of this Protocol may be imported into Ireland and the United Kingdom at the reduced rates of customs duties and charges having equivalent effect set out in the Agreement.

However, the duties thus reduced may in no case be lower than those applied by Ireland and the United Kingdom in respect of the Community as originally constituted.

3. Should the progressive alignment of the Irish and the United Kingdom tariffs on the Common Customs Tariff result in the application by Ireland and the

United Kingdom as regards Malta of customs duties lower than those applied in respect of that State at the time this Protocol enters into force, the first-mentioned customs duties shall be applied.

Article 5

1. The rates on the basis of which the new Member States apply to Malta the reductions provided for in Article 3 and Article 4 (2) shall be those which they apply at the time in respect of third countries.

2. By way of derogation from the provisions of Article 3 and Article 4 (2), should the application of these provisions temporarily result in tariff movements away from alignment on the final duty, the new Member States may maintain their duties until the level of these duties has been reached on the occasion of a subsequent alignment, or they may apply the duty resulting from a subsequent alignment as soon as this alignment reaches or passes the said level.

Article 6

1. The reduced duties calculated in accordance with Articles 3, 4 and 5 shall be applied by rounding to the first decimal place.

2. Subject to the effect to be given by the Community to Article 39 (5) of the Act of Accession as regards the specific duties or the specific part of the mixed duties of the customs tariffs of Ireland and the United Kingdom, the provisions of Articles 4 and 5 shall be applied by rounding to the fourth place of decimals.

Article 7

Where, for the products listed in Annex I to the Agreement, the new Member States apply duties comprising protective and fiscal elements, only the protective elements of those duties, within the meaning of Article 38 of the Act of Accession, shall be aligned on the preferential duties set out in that Annex and reduced as provided in Articles 3, 4 and 5.

Article 8

The arrangements which Denmark applies in respect of Malta, in application of Article 7 of Annex I to the Agreement, may under no circumstances be more favourable than those which it applies in respect of the Community as originally constituted.

Article 9

1. Ireland and the United Kingdom shall apply to imports originating in Malta the quantitative restrictions in force in respect of Malta at the time of entry into force of this Protocol.

This provision shall apply until the entry into force of the provisions governing the second stage but not later than 30 June 1977.

2. The arrangements which Ireland and the United Kingdom apply in respect of Malta may not be less favourable than those provided for in Article 7 of Annex I to the Agreement.

3. However, the quantitative restrictions in force in Ireland which are referred to in Protocol 7 of the Act of Accession shall be abolished as regards Malta in accordance with procedures to be determined, account being taken of the provisions of the above-mentioned Protocol.

Article 10

Malta shall apply in respect of Denmark the reductions in customs duties and charges having equivalent effect provided for in Articles 1, 2, 3 and 4 of Annex II to the Agreement at the rates and in accordance with the timetable set out therein.

Article 11

1. Malta shall continue to apply to imports originating in Ireland and the United Kingdom the tariff and rules of origin applied prior to the Agreement, without prejudice to the protective clauses of that Agreement.

This provision shall apply until the entry into force of the provisions governing the second stage but not later than 30 June 1977.

2. Products originating in Ireland and the United Kingdom in respect of which the rates of customs duties and charges having equivalent effect, reduced in accordance with Article 1 of Annex II to the Agreement, are lower than the customs duties and charges having equivalent effect applied by Malta at the time of entry into force of this Protocol may be imported into Malta at the reduced rates of customs duties and charges having equivalent effect in accordance with the timetable set out in the Agreement and under the rules of origin appropriate thereto.

TITLE III

Origin rules

Article 12

The Protocol annexed replaces the Protocol relating to the definition of the concept of 'originating products' and to methods of administrative cooperation referred to in Article 7 of the Agreement.

TITLE IV

Rules applying to certain agricultural products

Article 13

Customs duties on imports into the Community of the products originating in Malta which are listed as follows shall be reduced by the rates indicated for each of them:

CCT heading No	Description	Rate of reduction
06.02	Other live plants, including trees, shrubs, bushes, roots, cuttings and slips	60 %
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared: A. Fresh	60 %
06.04	Foliage, branches and other parts (other than flowers or buds) of trees, shrubs, bushes and other plants, and mosses, lichens and grasses, being goods of a kind suitable for bouquets or ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	60 %

CCT heading No	Description	Rate of reduction
07.01	Vegetables, fresh or chilled: A. Potatoes: II. New potatoes: a) From 1 January to 15 May	40 %
	F. Leguminous vegetables, shelled or unshelled: II. Beans (of the species Phaseolus): ex a) From 1 October to 30 June: — From 1 November to 30 April	60 %
	ex H. Onions, shallots and garlic: — Onions, from 1 July to 31 July	50 %
	M. Tomatoes: ex I. From 1 November to 14 May: — From 1 December to 30 April	60 %
	S. Sweet peppers	40 %
	ex T. Other: — Courgettes, from 1 December to the last day of February	60 %
08.02	Citrus fruit, fresh or dried: A. Oranges: I. Sweet oranges, fresh	60 %
08.08	Berries, fresh: A. Strawberries: ex II. From 1 August to 30 April: — From 1 November to 31 March	60 %

Article 14

The customs duties on imports into the Community of wine of fresh grapes falling within the following tariff headings and originating in Malta, shall be reduced by 75%, provided that the import prices of such wines plus the customs duties actually levied are not less at any given time than the Community reference price for such time:

CCT heading No	Description
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: C. Other: I. Of an actual alcoholic strength not exceeding 13°, in containers holding: ex a) Two litres or less: — Wine of fresh grapes

CCT heading No	Description
22.05 (cont'd)	II. Of an actual alcoholic strength exceeding 13° but not exceeding 15°, in containers holding: ex a) Two litres or less: — Wine of fresh grapes III. Of an actual alcoholic strength exceeding 15° but not exceeding 18°, in containers holding: a) Two litres or less: ex 2. Other: — Wine of fresh grapes IV. Of an actual alcoholic strength exceeding 18° but not exceeding 22°, in containers holding: a) Two litres or less: ex 2. Other: — Wine of fresh grapes

Article 15

1. The rates of reduction specified in Articles 13 and 14 shall apply to customs duties actually applied in respect of third countries.

2. Article 4 shall apply to imports into Ireland and the United Kingdom of the products referred to in Articles 13 and 14.

3. However, the duties applied by Denmark as a result of the reductions referred to in paragraph 1 may in no case be lower than those applied by the said country to the Community as originally constituted.

4. By way of derogation from paragraph 1, should the application thereof temporarily result in tariff movements away from alignment on the final duty, Denmark, Ireland and the United Kingdom may maintain their duties until the level of these duties has been reached on the occasion of a subsequent alignment, or they may apply the duty which would result from a subsequent alignment as soon as a tariff movement reaches or passes the said level.

5. The reduced duties calculated in accordance with paragraph 1 shall be applied rounded to the first decimal place.

Subject to the application by the Community of Article 39 (5) of the Act of Accession, as regards the specific duties or the specific part of the mixed duties in the Irish and United Kingdom Customs Tariffs, paragraph 1 shall be applied by rounding to the fourth decimal place.

Article 16

1. Should specific rules be introduced as a result of implementation of its agricultural policy or modification of the existing rules, or should the provisions on the implementation of its agricultural policy be modified or developed, the Community may modify the arrangements laid down in this Protocol in respect of the products concerned.

In such cases the Community shall take appropriate account of the interests of Malta.

2. If the Community, in applying paragraph 1, amends the arrangements made by this Protocol for products covered by Annex II to the Treaty establishing the European Economic Community, it shall accord imports originating in Malta an advantage comparable to that provided for in this Protocol.

3. Consultations may be held within the Association Council on the application of this Article.

Article 17

From the beginning of 1978 in accordance with the procedure adopted for negotiating the Agreement, the Contracting Parties shall review the results of the agricultural provisions as well as any improvements which could be made as from 1 January 1979 on the basis of the experience gained during the functioning of the Agreement and of the objectives defined therein.

TITLE V

Cooperation

Article 18

The Community and Malta shall institute cooperation with the aim of contributing to the development of Malta by efforts complementary to those made by Malta itself and of strengthening existing economic links on as broad a basis as possible for their mutual benefit.

Article 19

In order to achieve the cooperation referred to in Article 18, account shall be taken, in particular, of the following:

- the objectives and priorities of Malta's development plans and programmes;
- the importance of schemes into which different operations are integrated;
- the importance of promoting regional cooperation between Malta and other States.

Article 20

The purpose of cooperation between the Community and Malta shall be to promote, in particular:

- participation by the Community in the efforts made by Malta to develop its production and economic infrastructure in order to diversify its economic structure. Such participation should be connected, in particular, with the industrialization of Malta and the modernization of its agriculture, fisheries and tourist industry;
- the marketing and sales promotion of products exported by Malta;
- industrial cooperation aimed at boosting the industrial production of Malta, in particular through projects, programmes and studies designed to:
 - encourage participation by the Community in the implementation of Malta's industrial development programmes;
 - foster the organization of contacts and meetings between Maltese and Community

industrial policy-makers, promoters and firms in order to promote the establishment of new-style industrial relations in conformity with the aims of the Agreement;

- facilitate access by Malta to technological knowhow suited to its specific needs;
- eliminate non-tariff and non-quota barriers likely to impede access to either market;
- encourage the development and diversification of industry in Malta and in particular the establishment of new industrial and trade links between the industries and firms of the Member States and those of Malta;
- cooperation in the fields of science, technology and the protection of the environment;
- the encouragement and facilitation of private investments which are in the mutual interest of the parties;
- exchange of information on the economic and financial situation, and on the trend thereof, as required for the proper functioning of the Agreement.

Article 21

1. The Association Council shall define periodically the guidelines of cooperation for the purpose of attaining the objectives set out in the Agreement.
2. The Association Council shall be responsible for seeking ways and means of establishing cooperation in the areas defined in Article 20. To that end it is empowered to make decisions.

Article 22

The Community shall participate in the financing of any projects to promote the development of Malta under the conditions laid down in the Financial Protocol.

Article 23

The Contracting Parties shall facilitate the proper performance of cooperation and investment contracts which are of interest to both parties and come within the framework of the Agreement.

TITLE VI

Final provisions

Article 24

This Protocol and its Annex form an integral part of the Agreement establishing an association between the European Economic Community and Malta.

Article 25

1. This Protocol shall require ratification, acceptance or approval in accordance with the procedures in

force in each of the Contracting Parties who shall notify each other of the completion of the procedures necessary to that end.

2. This Protocol shall enter into force on the first day of the second month following the date on which the notifications referred to in paragraph 1 have been effected.

Article 26

This Protocol is drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne Protokol.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Protokoll gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Protocol.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent protocole.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente protocollo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder dit Protocol hebben gesteld.

Udfærdiget i Bruxelles, den fjerde marts nitten hundrede og seksoghalvfjerds.

Geschehen zu Brüssel am vierten März neunzehnhundertsechundsiebzig.

Done at Brussels on the fourth day of March in the year one thousand nine hundred and seventy-six.

Fait à Bruxelles, le quatre mars mil neuf cent soixante-seize.

Fatto a Bruxelles, addì quattro marzo millenovecentosettantasei.

Gedaan te Brussel, de vierde maart negentienhonderd zesenzeventig.

På Rådet for De europæiske Fællesskabers vegne,

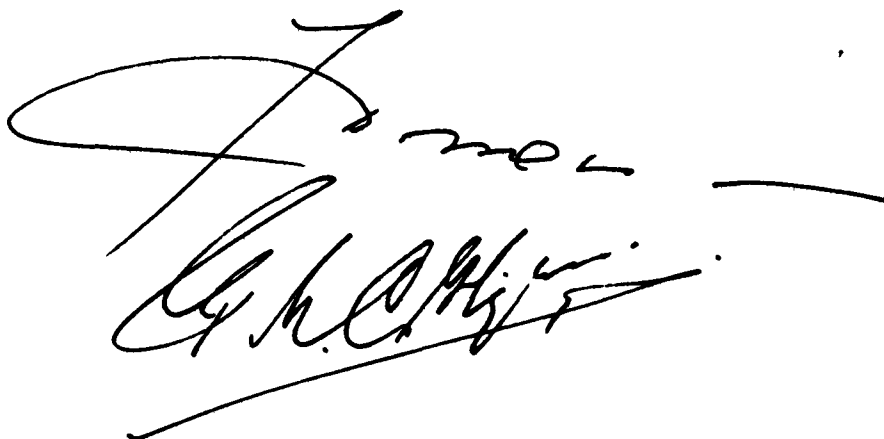
Im Namen des Rates der Europäischen Gemeinschaften,

For the Council of the European Communities,

Pour le Conseil des Communautés européennes,

Per il Consiglio delle Comunità europee,

Voor de Raad van de Europese Gemeenschappen,



For republikken Maltas regering,

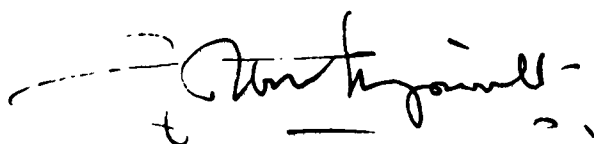
Im Namen der Regierung der Republik Malta,

For the Government of the Republic of Malta,

Pour le gouvernement de la république de Malte,

Per il governo della Repubblica di Malta,

Voor de Regering van de Republiek Malta,



ANNEX

PROTOCOL

concerning the definition of the concept of 'originating products' and methods of administrative cooperation

TITLE I

Definition of the concept of 'originating products'

Article 1

For the purpose of implementing the Agreement, the following products, on condition that they were transported directly within the meaning of Article 5, shall be considered as:

1. products originating in Malta:

- (a) products wholly obtained in Malta;
- (b) products obtained in Malta, in the manufacture of which products other than those wholly obtained in Malta are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3. This condition shall not apply, however, to products which, within the meaning of this Protocol, originate in the Community;

2. products originating in the Community:

- (a) products wholly obtained in the Community;
- (b) products obtained in the Community, in the manufacture of which products other than those wholly obtained in the Community are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3. This condition shall not apply, however, to products which, within the meaning of this Protocol, originate in Malta.

The products in List C in Annex IV shall be temporarily excluded from the scope of this Protocol.

Article 2

The following shall be considered as 'wholly obtained' either in Malta or in the Community, within the meaning of Articles 1 (1) (a) and (2) (a):

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested there;
- (c) live animals born and raised there;
- (d) products from live animals raised there;
- (e) products obtained by hunting or fishing conducted there;
- (f) products of sea fishing and other products taken from the sea by their vessels;
- (g) products made aboard their factory ships exclusively from products referred to in subparagraph (f);
- (h) used articles collected there fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) goods produced there exclusively from products specified in subparagraphs (a) to (i).

Article 3

1. For the purpose of implementing the provisions of Article 1 (1) (b) and (2) (b), the following shall be considered as sufficient working or processing:

- (a) working or processing as a result of which the goods obtained receive a classification under a heading other than that covering each of the products worked or processed, except, however, working or processing specified in List A in Annex II, where the special provisions of that list apply;
- (b) working or processing specified in List B in Annex III.

'Sections', 'Chapters' and 'headings' shall mean the sections, chapters and headings in the Brussels Nomenclature for the classification of goods in customs tariffs.

2. When, for a given product obtained, a percentage rule limits in Lists A and B the value of the materials and parts which can be used, the total value of these materials and parts, whether or not they have changed heading in the course of the working, processing or assembly within the limits and under the conditions laid down in each of those two lists, may not exceed, in relation to the value of the product obtained, the value corresponding either to the common rate, if the rates are identical in both lists, or to the higher of the two if they are different.

3. For the purpose of implementing Article 1 (1) (b) and (2) (b), the following shall always be considered as insufficient working or processing to confer the status of originating product, whether or not there is a change of heading:

- (a) operations to ensure the preservation of merchandise in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);
- (b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making up of sets of articles), washing, painting, cutting up;
- (c) (i) changes of packaging and breaking up and assembly of consignments;
 - (ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other packaging operations;
- (d) affixing marks, labels or other like distinguishing signs on products or their packaging;
- (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in this Protocol to enable them to be considered as originating;
- (f) simple assembly of parts of articles to constitute a complete article;
- (g) a combination of two or more operations specified in subparagraphs (a) to (f);
- (h) slaughter of animals.

Article 4

Where Lists A and B referred to in Article 3 provide that goods obtained in Malta or in the Community

shall be considered as originating therein only if the value of the products worked or processed does not exceed a given percentage of the value of the goods obtained, the values to be taken into consideration for such a percentage shall be:

— on the one hand,

as regards products whose importation can be proved: their customs value at the time of importation,

as regards products of undetermined origin: the earliest ascertainable price paid for such products in the territory of the Contracting Party where manufacture takes place;

— and on the other hand,

the ex-works price of the goods obtained, less internal taxes refunded or refundable on exportation.

Article 5

1. For the purpose of implementing Article 1, originating products whose transport is effected without entering into territory other than that of the Contracting Parties are considered as transported directly from Malta to the Community or from the Community to Malta. However, goods originating in Malta or in the Community and constituting one single consignment which is not split up may be transported through territory other than that of the Contracting Parties with, should the occasion arise, transhipment or temporary warehousing in such territory, provided that the crossing of the latter territory is justified for geographical reasons and that the goods have remained under the surveillance of the customs authorities in the country of transit or warehousing, that they have not entered into commerce of such countries nor been delivered for home use there and have not undergone operations other than unloading, reloading or any operation designed to maintain them in good condition.

2. Evidence that the conditions referred to in paragraph 1 have been fulfilled shall be supplied to the responsible customs authorities in the Community or in Malta by the production of:

- (a) a through bill of lading issued in the exporting country covering the passage through the country of transit; or
- (b) a certificate issued by the customs authorities of the country of transit:

- giving an exact description of the goods;
- stating the dates of unloading and reloading of the goods or of their embarkation or disembarkation, identifying the ships used;
- certifying the conditions under which the goods remained in the transit country;

(c) or failing these, any substantiating documents.

TITLE II

Arrangements for administrative cooperation

Article 6

1. Evidence of originating status, within the meaning of this Protocol, of products is given by a movement certificate EUR. 1 of which a specimen is given in Annex V to this Protocol.

However, the evidence of originating status, within the meaning of this Protocol, of products which form the subject of postal consignments (including parcels), provided that they consist only of originating products and that the value does not exceed 1 000 units of account per consignment, may be given by a form EUR. 2, of which a specimen is given in Annex VI to this Protocol.

The unit of account (u.a.) has a value of 0.88867088 gramme of fine gold. Should the unit of account be changed, the Contracting Parties shall make contact with each other at the level of the Association Council to redefine the value in terms of gold.

2. Without prejudice to Article 3 (3), where, at the request of the person declaring the goods at the customs, a dismantled or non-assembled article falling within Chapter 84 or 85 of the Brussels Nomenclature is imported by instalments on the conditions laid down by the competent authorities, it shall be considered to be a single article and a movement certificate may be submitted for the whole article upon importation of the first instalment.
3. Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and included in the price thereof or are not separately invoiced are regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

Article 7

1. A movement certificate EUR. 1 shall be issued by the customs authorities of the exporting State when the goods to which it relates are exported. It shall be made available to the exporter as soon as actual exportation has been effected or ensured.

2. In exceptional circumstances a movement certificate EUR. 1 may also be issued after exportation of the goods to which it relates if it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances. In this case, the certificate shall bear a special reference to the conditions in which it was issued.

3. A movement certificate EUR. 1 shall be issued only on application having been made in writing by the exporter. Such application shall be made on a form, of which a specimen is given in Annex V to this Protocol, which shall be completed in accordance with this Protocol.

4. A movement certificate EUR. 1 may be issued only where it can serve as the documentary evidence required for the purpose of implementing the Agreement.

5. Applications for movement certificates EUR. 1 must be preserved for at least two years by the customs authorities of the exporting country.

Article 8

1. The movement certificate EUR. 1 shall be issued by the customs authorities of the exporting State, if the goods can be considered 'originating products' within the meaning of this Protocol.

2. For the purpose of verifying whether the conditions stated in paragraph 1 have been met, the customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.

3. It shall be the responsibility of the customs authorities of the exporting State to ensure that the forms referred to in Article 9 are duly completed. In particular, they shall check whether the space reserved for the description of the goods has been completed in such a manner as to exclude all possibility of fraudulent additions. To this end, the description of the goods must be indicated without leaving any blank lines. Where the space is not completely filled a horizontal line must be drawn below the last line

of the description, the empty space being crossed through.

4. The date of issue of the movement certificate must be indicated in the part of the certificate reserved for the customs authorities.

Article 9

Movement certificates EUR. 1 shall be made out on the form of which a specimen is given in Annex V to this Protocol. This form shall be printed in one or more of the languages in which the Agreement is drawn up. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State; if they are handwritten, they shall be completed in ink and in capital letters.

Each certificate shall measure 210 × 297 mm, a tolerance of up to plus 8 or minus 5 mm in the length may be allowed. The paper used must be white-sized writing paper not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.

The exporting States may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

Article 10

1. Under the responsibility of the exporter, he or his authorized representative shall request the issue of a movement certificate EUR. 1.

2. The exporter or his representative shall submit with his request any appropriate supporting document proving that the goods to be exported are such as to qualify for the issue of a movement certificate EUR. 1.

Article 11

A movement certificate EUR. 1 must be submitted, within five months of the date of issue by the

customs authorities of the exporting State, to the customs authorities of the importing State where the goods are entered.

Article 12

Movement certificates EUR. 1 shall be submitted to customs authorities in the importing State, in accordance with the procedures laid down by that State. The said authorities may require a translation of a certificate. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the implementation of the Agreement.

Article 13

1. A movement certificate EUR. 1 which is submitted to the customs authorities of the importing State after the final date for presentation specified in Article 11, may be accepted for the purpose of applying preferential treatment, where the failure to submit the certificate by the final date set is due to reasons of *force majeure* or exceptional circumstances.

2. In other cases of belated presentation, the customs authorities of the importing State may accept the certificates where the goods have been submitted to them before the said final date.

Article 14

The discovery of slight discrepancies between the statements made in the movement certificate EUR. 1 and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the goods shall not *ipso facto* render the certificate null and void if it is duly established that the certificate does correspond to the goods submitted.

Article 15

It shall always be possible to replace one or more movement certificates EUR. 1 by one or more other movement certificates EUR. 1 provided that this is done at the customs office where the goods are located.

Article 16

Form EUR. 2, a specimen of which is given in Annex VI, shall be completed by the exporter or, under his

responsibility, by his authorized representative. It shall be made out in one of the languages in which the Agreement is drawn up and in accordance with the provisions of the domestic law of the exporting State. If it is handwritten it must be completed in ink and in capital letters. If the goods contained in the consignment have already been subject to verification in the exporting country by reference to the definition of the concept of 'originating products' the exporter may refer to this check in the 'Remarks' box of form EUR. 2.

Form EUR. 2 shall be 210 × 148 mm. A tolerance of up to plus 8 or minus 5 mm in the length may be allowed. The paper used shall be white paper dressed for writing not containing mechanical pulp and weighing not less than 64 g/m².

The exporting States may reserve the right to print the forms themselves or may have them printed by printers they have approved. In the latter case each form must include a reference to such approval. In addition, the form must bear the distinctive sign attributed to the approved printer and a serial number, either printed or not, by which it can be identified.

A form EUR. 2 shall be completed for each postal consignment.

These provisions do not exempt exporters from complying with any other formalities required by customs or postal regulations.

Article 17

1. Goods sent as small packages to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the production of a movement certificate EUR. 1 or the completion of a form EUR. 2, provided that such goods are not imported by way of trade and have been declared as meeting the conditions required for the application of these provisions, and where there is no doubt as to the veracity of such declaration.

2. Importations which are occasional and consist solely of goods for the personal use of the recipients or travellers or their families shall not be considered as importations by way of trade if it is evident from the nature and quantity of the goods that no

commercial purpose is in view. Furthermore, the total value of these goods must not exceed 60 units of account in the case of small packages or 200 units of account in the case of the contents of travellers' personal luggage.

Article 18

1. Goods sent from the Community or from Malta for exhibition in another country and sold after the exhibition for importation into Malta or into the Community shall benefit on importation from the provisions of the Agreement on condition that the goods meet the requirements of this Protocol entitling them to be recognized as originating in the Community or in Malta and provided that it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these goods from the Community or from Malta to the country in which the exhibition is held and has exhibited them there;
- (b) the goods have been sold or otherwise disposed of by that exporter to someone in Malta or in the Community;
- (c) the goods have been consigned during the exhibition or immediately thereafter to Malta or to the Community in the state in which they were sent for exhibition;
- (d) the goods have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A movement certificate EUR. 1 must be produced to the customs authorities in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the goods and the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign goods, and during which the goods remain under customs control.

Article 19

1. When a certificate is issued within the meaning of Article 7 (2) of this Protocol after the goods to

which it relates have actually been exported, the exporter must in the application referred to in Article 7 (3) of this Protocol:

- indicate the place and date of exportation of the goods to which the certificate relates;
- certify that no movement certificate EUR. 1 was issued at the time of exportation of the goods in question, and state the reasons.

2. The customs authorities may issue a movement certificate EUR. 1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

Certificates issued retrospectively must be endorsed with one of the following phrases: 'NACHTRÄGLICH AUSGESTELLT', 'DÉLIVRÉ A POSTERIORI', 'RILASCIATO A POSTERIORI', 'AFGEGEVEN A POSTERIORI', 'ISSUED RETROSPECTIVELY', 'UDSTEDT EFTERFØLGENDE'.

Article 20

In the event of the theft, loss or destruction of a movement certificate EUR. 1, the exporter may apply to the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession. The duplicate issued in this way must be endorsed with one of the following words: 'DUPLIKAT', 'DUPLICATA', 'DUPLICATO', 'DUPLICAAT', 'DUPLICATE'.

Article 21

Malta and the Community shall take all necessary steps to ensure that goods traded under cover of a movement certificate EUR. 1, and which in the course of transport use a free zone situated in their territory, are not replaced by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.

Article 22

In order to ensure the proper application of this title, Malta and the Community shall assist each other, through their respective customs administrations, in checking the authenticity of movement certificates EUR. 1 and the accuracy of the

information concerning the actual origin of the products concerned and the declarations by exporters on forms EUR. 2.

Article 23

Penalties shall be imposed on any person who, in order to enable goods to be accepted as eligible for preferential treatment, draws up or causes to be drawn up, either a document which contains incorrect particulars for the purpose of obtaining a movement certificate EUR. 1 or a form EUR. 2 containing incorrect particulars.

Article 24

1. Subsequent verifications of movement certificates EUR. 1 and of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the authenticity of the document or the accuracy of the information regarding the true origin of the goods in question.

2. For the purpose of implementing paragraph 1, the customs authorities of the importing State shall return the movement certificate EUR. 1 or the form EUR. 2, or a photocopy thereof, to the customs authorities of the exporting State, giving, where appropriate, the reasons of form or substance for an inquiry. The invoice, if it has been submitted, or a copy thereof shall be attached to the form EUR. 2 and the customs authorities shall forward any information that has been obtained suggesting that the particulars given on the said certificate or the said form are inaccurate.

If the customs authorities of the importing State decide to suspend execution of the Agreement while awaiting the results of the verification, they shall offer to release the goods to the importer subject to any precautionary measures judged necessary.

3. The customs authorities of the importing State shall be informed of the results of the verification as quickly as possible. These results must be such as to make it possible to determine whether the disputed movement certificate EUR. 1 or form EUR. 2 applies to the goods actually exported, and whether these goods can, in fact, qualify for the application of the preferential arrangements.

When such disputes cannot be settled between the customs authorities of the importing State and those of the exporting State, or when they raise a question

as to the interpretation of this Protocol, they shall be submitted to the Customs Cooperation Committee.

In all cases the settlement of disputes between the importer and the customs authorities of the importing State shall be under the legislation of the said State.

Article 25

The Association Council may decide to amend the provisions of this Protocol .

Article 26

1. The Community and Malta shall take any measures necessary to enable movement certificates EUR. 1 as well as forms EUR. 2 to be submitted, in accordance with Articles 11 and 12 of this Protocol, from the day on which it enters into force.

2. The certificates of type A.M.1. as well as forms A.M.2. may be used until stocks are exhausted and at the latest up to and including 30 June 1977 under the conditions laid down by this Protocol.

3. The movement certificates EUR. 1 and the forms EUR. 2 printed in the Member States before the date of the entry into force of this Protocol, and which do not conform to the models in Annexes V and VI

to this Protocol, may continue to be used until stocks are exhausted, under the conditions laid down by this Protocol.

Article 27

The Community and Malta shall each take the steps necessary to implement this Protocol.

Article 28

The Annexes to this Protocol shall form an integral part thereof.

Article 29

Those products accompanied by a movement certificate A.M.1. issued under the provisions previously in force concerning origin shall be considered as originating products, in the sense of this Protocol, provided that the said certificate was issued before the entry into force of this Protocol.

Article 30

The endorsements referred to in Articles 19 and 20 shall be inserted in the 'Remarks' box of the certificate.

ANNEX I

EXPLANATORY NOTES

Note 1 — Articles 1 and 2

The terms 'the Community' and 'Malta' shall also cover the territorial waters of the Member States of the Community or of Malta respectively.

Vessels operating on the high seas, including factory ships, on which fish caught is worked or processed, shall be considered as part of the territory of the State to which they belong provided that they satisfy the conditions set out in Explanatory Note 5.

Note 2 — Article 1

In order to determine whether goods originate in the Community or in Malta it shall not be necessary to establish whether the power and fuel, plant and equipment, and machines and tools used to obtain such goods originate in third countries or not.

Note 3 — Articles 3 (1) and (2), and 4

The percentage rule constitutes, where the product obtained appears in List A, a criterion additional to that of change of heading for any non-originating product used.

Note 4 — Article 1

Packing shall be considered as forming a whole with the goods contained therein. This provision, however, shall not apply to packing which is not of the normal type for the article packed and which has intrinsic utilization value and is of a durable nature, apart from its function as packing.

Note 5 — Article 2(f)

The term 'their vessels' shall apply only to vessels:

- which are registered or recorded in a Member State or in Malta;
- which sail under the flag of a Member State or of Malta;
- which are owned to an extent of at least 50 % by nationals of the Member States and Malta or by a company with its head office in a Member State or in Malta, of which the manager, managers, chairman of the board of directors or of the supervisory board, and the majority of the members of such board, are nationals of the Member States or Malta and of which, in addition in the case of partnerships or limited companies, at least half the capital belongs to the Member States or Malta or to public bodies or nationals of the Member States or of Malta;
- of which the captain and officers are all nationals of the Member States or of Malta;
- of which at least 75 % of the crew are nationals of the Member States or of Malta.

Note 6 — Article 4

'Ex-works price' shall mean the price paid to the manufacturer in whose undertaking the last working or processing is carried out, provided the price includes the value of all the products used in manufacture.

'Customs value' shall be understood as meaning the customs value laid down in the Convention concerning the valuation of goods for customs purposes signed in Brussels on 15 December 1950.

ANNEX II

LIST A

List of working or processing operations which result in a change of tariff heading without conferring the status of 'originating products' on the products undergoing such operations, or conferring this status only subject to certain conditions

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked	Salting, placing in brine, drying or smoking of meat and edible meat offals of heading Nos 02.01 and 02.04	
03.02	Fish, dried, salted or in brine, smoked fish, whether or not cooked before or during the smoking process	Drying, salting, placing in brine; smoking of fish, whether cooked or not	
04.02	Milk and cream, preserved, concentrated or sweetened	Preserving, concentrating, or adding sugar to milk or cream of heading No 04.01	
04.03	Butter	Manufacture from milk or cream	
04.04	Cheese and curd	Manufacture from products of heading Nos 04.01, 04.02 and 04.03	
07.02	Vegetables (whether or not cooked), preserved by freezing	Freezing of vegetables	
07.03	Vegetables, provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption	Placing in brine or in other solutions of vegetables of heading No 07.01	
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared	Drying, dehydration, evaporation cutting, grinding, powdering of vegetables of heading Nos 07.01 to 07.03	
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar	Freezing of fruit	
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	Placing in brine or in other solutions of fruit of heading Nos 08.01 to 08.09	

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05	Drying of fruit	
11.01	Cereal flours	Manufacture from cereals	
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground	Manufacture from cereals	
11.03	Flours of the leguminous vegetables falling within heading No 07.05	Manufacture from dried leguminous vegetables	
11.04	Flours of the fruits falling within any heading in Chapter 8	Manufacture from fruits of Chapter 8	
11.05	Flour, meal and flakes of potato	Manufacture from potatoes	
11.06	Flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06	Manufacture from products of heading No 07.06	
11.07	Malt, roasted or not	Manufacture from cereals	
11.08	Starches; inulin	Manufacture from cereals of Chapter 10, or from potatoes or other products of Chapter 7	
11.09	Wheat gluten, whether or not dried	Manufacture from wheat or wheat flours	
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted	Manufacture from products of heading No 02.05	
15.02	Fats of bovine cattle, sheep or goats, unrendered; rendered or solvent-extracted fats (including 'premier jus') obtained from those unrendered fats	Manufacture from products of heading Nos 02.01 and 02.06	
15.04	Fats and oils, of fish and marine mammals, whether or not refined	Manufacture from fish or marine mammals caught by fishing vessels of third countries	
15.06	Other animal oils and fats (including neat's-foot oil and fats from bones or waste)	Manufacture from products of Chapter 2	

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified, but not including Chinawood oil, myrtle-wax, Japan wax or oil of tung nuts, oleococca seeds or oiticia seeds; also not including oils of a kind used in machinery or mechanical appliances or for industrial purposes other than the manufacture of edible products	Manufacture from products of Chapters 7 and 12	
16.01	Sausages and the like, of meat, meat offal or animal blood	Manufacture from products of Chapter 2	
16.02	Other prepared or preserved meat or meat offal	Manufacture from products of Chapter 2	
16.04	Prepared or preserved fish, including caviar and caviar substitutes	Manufacture from products of Chapter 3	
16.05	Crustaceans and molluscs, prepared or preserved	Manufacture from products of Chapter 3	
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel	Manufacture from any product	
17.04	Sugar confectionery, not containing cocoa	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product	
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product	
18.06	Chocolate and other food preparations containing cocoa	Manufacture from products of Chapter 17 the value of which exceeds 30% of the value of the finished product	
19.01	Malt extract	Manufacture from products of heading No 11.07	
19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa	Manufacture from cereals and derivatives thereof, meat and milk, or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product	
19.03	Macaroni, spaghetti and similar products		Manufacture from durum wheat

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
19.04	Tapioca and sago; tapioca and sago substitutes from potato or other starches	Manufacture from potato starch	
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products)	Manufacture from any product other than of Chapter 17 ⁽¹⁾ or in which the value of the products of Chapter 17 used exceeds 30% of the value of the finished product	
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper, and similar products	Manufacture from products of Chapter 11	
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit	Manufacture from products of Chapter 11	
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion	Manufacture from products of Chapter 11	
20.01	Vegetables and fruit prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard	Preserving vegetables, fresh or frozen or preserved temporarily or preserved in vinegar	
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid	Preserving vegetables fresh or frozen	
20.03	Fruit preserved by freezing, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
20.04	Fruits, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized)	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 20.05	Jams, fruit jellies, marmalades, fruit purées and fruit pastes, being cooked preparations, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
20.06	Fruit otherwise prepared or preserved whether or not containing added sugar or spirit:		

(¹) This rule does not apply where the use of maize of the 'zea indurata' type or 'durum wheat' is concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
20.06 (cont'd)	A. Nuts		Manufacture, without added sugar or spirit, in which the value of the constituent 'originating products' of heading Nos 08.01, 08.05 and 12.01, represents at least 60% of the value of the manufactured product
	B. Other fruits	Manufactured from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 20.07	Fruit juices (including grape must), whether or not containing added sugar, but unfermented and not containing spirit	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 21.01	Roasted chicory and extracts thereof	Manufacture from chicory roots, fresh or dried	
21.05	Soups and broths in liquid, solid or powder forms; homogenized food preparations	Manufacture from products of heading No 20.02	
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07	Manufacture from fruit juices ⁽¹⁾ or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product	
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.08	Ethyl alcohol or neutral spirits, undenatured, of a strength of 80° or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.10	Vinegar and substitutes for vinegar	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	

⁽¹⁾ This rule does not apply where fruit juices of pineapple, lime and grapefruit are concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 23.03	Residues from the manufacture of maize starch (excluding concentrated steeping liquours), of a protein content, calculated on the dry product, exceeding 40% dry weight	Manufacture from maize or maize flour	
23.04	Oil cake and other residues (except dregs) resulting from the extraction of vegetable oils	Manufacture from various products	
23.07	Sweetened forage; other preparations of a kind used in animal feeding	Manufacture from cereals and derived products, meat, milk, sugar and molasses	
ex 24.02	Cigarettes, cigars, smoking tobacco		Manufacture from products of heading No 24.01 of which at least 70% by quantity are 'originating products'
ex 28.38	Aluminium sulphate		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
30.03	Medicaments (including veterinary medicaments)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
31.05	Other fertilizers; goods of Chapter 31 in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
32.06	Colour lakes	Manufacture from materials of heading No 32.04 or 32.05 (1)	
32.07	Other colouring matter; inorganic products of a kind used as luminophores	Mixing of oxides or salts of Chapter 28 with extenders such as barium sulphate, chalk barium carbonate and satin white (1)	
33.05	Aqueous distillates and aqueous solutions of essential oils, including such products suitable for medicinal uses	Manufacture from products of heading No 33.01 (1)	
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues		Manufacture from maize or potatoes

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
37.01	Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or cloth	Manufacture from products of heading No 37.02 ⁽¹⁾	
37.02	Film in rolls, sensitized, unexposed, perforated or not	Manufacture from products of heading No 37.01 ⁽¹⁾	
37.04	Sensitized plates and film, exposed but not developed, negative or positive	Manufacture from products of heading No 37.01 or 37.02 ⁽¹⁾	
38.11	Disinfectants, insecticides, fungicides, weed-killers, anti-sprouting products, rat poisons and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example, sulphur-treated bands, wicks and candles, fly-papers)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.13	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 38.14	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils, excluding prepared additives for lubricants		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.15	Prepared rubber accelerators		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
38.17	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.18	Composite solvents and thinners for varnishes and similar products		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 38.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding:</p> <ul style="list-style-type: none"> — Fusel oil and Dippel's oil; — Naphthenic acids and their non-water-soluble salts, esters of naphthenic acids; — Sulphonaphthenic acids and their non-water-soluble salts; esters of sulphonaphthenic acids; — Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines, thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts; — Mixed alkylbenzenes and mixed alkylnaphthalenes; — Ion exchangers; — Catalysts; — Getters for vacuum tubes; — Refractory cements or mortars and similar preparations; — Alkaline iron oxide for the purification of gas; — Carbon (excluding that in artificial graphite of heading No 38.01) of metallo-graphite or other compounds, in the form of small plates, bars or other semi-manufactures — Sorbitol other than sorbitol of heading No 29.04 		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 39.02	Polymerization products		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
40.05	Plates, sheets and strip, of unvulcanized natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No 40.01 or 40.02; granules of unvulcanized natural or synthetic rubber compounded ready for vulcanization; unvulcanized natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of mineral oil) or with silica (with or without the addition of mineral oil), in any form, of a kind known as masterbatch		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
41.08	Patent leather and imitation patent leather; metallized leather		Varnishing or metallizing of leather of heading Nos 41.02 to 41.07 (other than skin leather of crossed Indian sheep and of Indian goat or kid, not further prepared than vegetable tanned, or if otherwise prepared obviously unsuitable for immediate use in the manufacture of leather articles) in which the value of the skin leather used does not exceed 50% of the value of the finished product
43.03	Articles of furskin	Making up from furskin in plates, crosses and similar forms (heading No ex 43.02) ⁽¹⁾	
44.21	Complete wooden packing cases, boxes, crates, drums and similar packings		Manufacture from boards not cut to size
45.03	Articles of natural cork		Manufacture from products of heading No 45.01

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
48.06	Paper and paperboard, ruled, lined or squared, but not otherwise printed, in rolls or sheets		Manufacture from paper pulp
48.14	Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
48.15	Other paper and paperboard, cut to size or shape		Manufacture from paper pulp
48.16	Boxes, bags and other packing containers, of paper or paperboard		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings	Manufacture from products of heading No 49.11	
49.10	Calendars of any kind, of paper or paperboard, including calendar blocks	Manufacture from products of heading No 49.11	
50.04 ⁽¹⁾	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale		Manufacture from products other than those of heading No 50.04
50.05 ⁽¹⁾	Yarn spun from silk waste other than noil, not put up for retail sale		Manufacture from products of heading No 50.03
50.06 ⁽¹⁾	Yarn spun from noil silk, not put up for retail sale		Manufacture from products of heading No 50.03
50.07 ⁽¹⁾	Silk yarn and yarn spun from noil or other waste silk, put up for retail sale		Manufacture from products of heading Nos 50.01 to 50.03
ex 50.08 ⁽¹⁾	Imitation catgut of silk		Manufacture from products of heading No 50.01 or from products of heading No 50.03 neither carded nor combed

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
50.09 ⁽¹⁾	Woven fabrics of silk or of waste silk other than noil		Manufacture from products of heading No 50.02 or 50.03
50.10 ⁽¹⁾	Woven fabrics of noil silk		Manufacture from products of heading No 50.02 or 50.03
51.01 ⁽²⁾	Yarn of man-made fibres (continuous), not put up for retail sale		Manufacture from chemical products or textile pulp
51.02 ⁽²⁾	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials		Manufacture from chemical products or textile pulp
51.03 ⁽²⁾	Yarn of man-made fibres (continuous), put up for retail sale		Manufacture from chemical products or textile pulp
51.04 ⁽¹⁾	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02		Manufacture from chemical products or textile pulp
52.01 ⁽²⁾	Metallized yarn, being textile yarn spun with metal or covered with metal by any process		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed
52.02 ⁽¹⁾	Woven fabrics of metal thread or of metallized yarn, of a kind used in articles of apparel, as furnishing fabrics or the like		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste
53.05 ⁽²⁾	Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03
53.07 ⁽²⁾	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03

⁽¹⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
53.08 ⁽¹⁾	Yarn of fine animal hair (carded or combed), not put up for retail sale		Manufacture from raw fine animal hair of heading No 53.02
53.09 ⁽¹⁾	Yarn of horsehair or of other coarse animal hair, not put up for retail sale		Manufacture from raw coarse animal hair of heading No 53.02 or from raw horsehair of heading No 05.03
53.10 ⁽¹⁾	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale		Manufacture from materials of heading Nos 05.03 and 53.01 to 53.04
53.11 ⁽²⁾	Woven fabrics of sheep's or lambs' wool or of fine animal hair		Manufacture from materials of heading Nos 53.01 to 53.05
53.12 ⁽²⁾	Woven fabrics of coarse animal hair other than horsehair		Manufacture from products of heading Nos 53.02 to 53.05
53.13 ⁽²⁾	Woven fabrics of horsehair		Manufacture from horsehair of heading No 05.03
54.03 ⁽¹⁾	Flax or ramie yarn, not put up for retail sale		Manufacture either from products of heading No 54.01 neither carded nor combed or from products of heading No 54.02
54.04 ⁽¹⁾	Flax or ramie yarn, put up for retail sale		Manufacture from materials of heading No 54.01 or 54.02
54.05 ⁽²⁾	Woven fabrics of flax or of ramie		Manufacture from materials of heading No 54.01 or 54.02
55.05 ⁽¹⁾	Cotton yarn, not put up for retail sale		Manufacture from materials of heading No 55.01 or 55.03
55.06 ⁽¹⁾	Cotton yarn, put up for retail sale		Manufacture from materials of heading No 55.01 or 55.03
55.07 ⁽²⁾	Cotton gauze		Manufacture from materials of heading No 55.01, 55.03 or 55.04
55.08 ⁽²⁾	Terry towelling and similar terry fabrics, of cotton		Manufacture from materials of heading No 55.01, 55.03 or 55.04
55.09 ⁽²⁾	Other woven fabrics of cotton		Manufacture from materials of heading No 55.01, 55.03 or 55.04

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated.

⁽²⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;

(ii) to 30 % where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous)		Manufacture from chemical products or textile pulp
56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.05 ⁽¹⁾	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale		Manufacture from chemical products or textile pulp
56.06 ⁽¹⁾	Yarn of man-made fibres (discontinuous or waste), put up for retail sale		Manufacture from chemical products or textile pulp
56.07 ⁽²⁾	Woven fabrics of man-made fibres (discontinuous or waste)		Manufacture from products of heading Nos 56.01 to 56.03
57.05 ⁽¹⁾	Yarn of true hemp		Manufacture from raw true hemp
57.06 ⁽¹⁾	Yarn of jute or of other textile bast fibres of heading No 57.03		Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
57.07 ⁽¹⁾	Yarn of other vegetable textile fibres		Manufacture from raw vegetable textile fibres of heading No 57.02 or 57.04

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

⁽²⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;

(ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confer the status of originating products when the following conditions are met
CCT heading No	Description		
57.08	Paper yarn		Manufacture from products of Chapter 47, from chemical products, textile pulp or from natural textile fibres discontinuous man-made fibres or their waste, neither carded nor combed
57.09 ⁽¹⁾	Woven fabrics of true hemp		Manufacture from products of heading No 57.01
57.10 ⁽¹⁾	Woven fabrics of jute or of other textile bast fabrics of heading No 57.03		Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
57.11 ⁽¹⁾	Woven fabrics of other vegetable textile fibres		Manufacture from materials of heading No 57.02 or 57.04 or from coir yarn of heading No 57.07
57.12	Woven fabrics of paper yarn		Manufacture from paper, from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste
58.01 ⁽²⁾	Carpets, carpeting and rugs, knotted (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04
58.02 ⁽²⁾	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from coir yarn of heading No 57.07
58.04 ⁽²⁾	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton of heading No 55.08 and fabrics of heading No 58.05)		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from chemical products or textile pulp

⁽¹⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

(ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
58.05 ⁽¹⁾	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
58.06 ⁽¹⁾	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.07 ⁽¹⁾	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.08 ⁽¹⁾	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
ex 58.09 ⁽¹⁾	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; mechanically made lace, in the piece, in strips or in motifs		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.10	Embroidery, in the piece, in strips or in motifs		Manufacture in which the value of the product used does not exceed 50% of the value of finished product
59.01 ⁽¹⁾	Wadding and articles of wadding; textile flock and dust and mill neps		Manufacture either from natural fibres or from chemical products or textile pulp
59.02 ⁽¹⁾	Felt and articles of felt, whether or not impregnated or coated		Manufacture either from natural fibres or from chemical products or textile pulp

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 59.02 ⁽¹⁾	Needled felt, whether or not impregnated or coated		Manufacture from fibre or continuous polypropylene filament of which the denomination of the filaments is less than 8 denier and of which the value does not exceed 40% of the value of the finished product
59.03 ⁽¹⁾	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated		Manufacture either from natural fibres or from chemical products or textile pulp
59.04 ⁽¹⁾	Twine, cordage, ropes and cables, plaited or not		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.05 ⁽¹⁾	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.06 ⁽¹⁾	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.07	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses		Manufacture from yarn
59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials		Manufacture from yarn
59.09	Textile fabrics coated or impregnated with oil or preparations with a basis of drying oil		Manufacture from yarn
59.10 ⁽¹⁾	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not		Manufacture either from yarn or from textile fibres

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods		Manufacture from yarn
59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio backcloths or the like		Manufacture from yarn
59.13 ⁽¹⁾	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads		Manufacture from single yarn
59.15 ⁽¹⁾	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.16 ⁽¹⁾	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.17 ⁽¹⁾	Textile fabrics and textile articles, of a kind commonly used in machinery or plant		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
ex Chapter 60 ⁽¹⁾	Knitted and crocheted goods, excluding knitted or crocheted goods obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from natural fibres, carded or combed, from materials of heading Nos 56.01 to 56.03, from chemical products or textile pulp
ex 60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽²⁾

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 60.03	Stockings, under stockings, socks, anklesocks, sockettes and the like, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
ex 60.04	Under garments, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
ex 60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
ex 60.06	Other articles, knitted or crocheted, elastic or rubberized (including elastic knee-caps and elastic stockings), obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
61.01	Men's and boys' outer garments		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.01	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾
ex 61.02	Women's, girls' and infants' outer garments, not embroidered		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.02	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾
ex 61.02	Women's, girls' and infants' outer garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs		Manufacture from yarn ⁽¹⁾ ⁽²⁾
61.04	Women's, girls' and infants' under garments		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.05	Handkerchiefs, not embroidered		Manufacture from unbleached single yarn ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 61.05	Handkerchiefs, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, not embroidered		Manufacture from unbleached single yarn of natural textile fibres or discontinuous man-made fibres or their waste, or from chemical products or textile pulp ⁽¹⁾ ⁽²⁾
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
61.07	Ties, bow ties and cravats		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, not embroidered		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
61.09	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic		Manufacture from yarn ⁽¹⁾ ⁽²⁾
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods		Manufacture from yarn ⁽¹⁾ ⁽²⁾

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

⁽³⁾ For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 61.10	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾
61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets)		Manufacture from yarn ⁽¹⁾ ⁽²⁾
62.01	Travelling rugs and blankets		Manufacture from unbleached yarn of Chapters 50 to 56 ⁽²⁾ ⁽³⁾
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; not embroidered		Manufacture from unbleached single yarn ⁽²⁾ ⁽³⁾
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product
62.03	Sacks and bags, of a kind used for the packing of goods		Manufacture from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste ⁽²⁾ ⁽³⁾
62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods		Manufacture from single unbleached yarn ⁽²⁾ ⁽³⁾
62.05	Other made up textile articles (including dress patterns)		Manufacture in which the value of the products used does not exceed 40% of the value of the finished product
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

⁽³⁾ For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
64.02	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.03	Footwear with outer soles of wood or cork	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.04	Footwear with outer soles of other materials	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
65.03	Felt hats and other felt headgear, being headgear made from the felt hoods and plateaux falling within heading No 65.01, whether or not lined or trimmed		Manufacture from textile fibres
65.05	Hats and other headgear (including hair nets), knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not lined or trimmed		Manufacture either from yarn or from textile fibres
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 70.07	Cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved) whether or not surface ground or polished; multiple-walled insulating glass	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
70.08	Safety glass consisting of toughened or laminated glass, shaped or not	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)		
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars) of iron or steel; pieces roughly shaped by forging, of iron or steel	Manufacture from products of heading No 73.06	
73.08	Iron or steel coils re-rolling	Manufacture from products of heading No 73.07	
73.09	Universal plates of iron or steel	Manufacture from products of heading No 73.07 or 73.08	
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel	Manufacture from products of heading No 73.07	
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements	Manufacture from products of heading Nos 73.07 to 73.10, 73.12 or 73.13	
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09 or 73.13	
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09	
73.14	Iron or steel wire, whether or not coated, but not insulated	Manufacture from products of heading No 73.10	

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bed-plates, ties and other material specialized for joining or fixing rails		Manufacture from products of heading No 73.06
73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits		Manufacture from products of heading Nos 73.06 and 73.07 or heading No 73.15 in the forms specified in heading Nos 73.06 and 73.07
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.04	Wrought plates, sheets and strip, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.05	Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.06	Copper powder and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.07	Tubes and pipes and blanks therefor, of copper; hollow bars of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.08	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
74.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquified gas), of copper, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.10	Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.11	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands), of copper wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.12	Expanded metal, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.13	Chain and parts thereof, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.14	Nails, tacks, staples, hook-nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel with heads of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.15	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, cotters, cotter-pins, washers and spring washers, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.16	Springs, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
74.18	Other articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.19	Other articles of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.02	Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.03	Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.04	Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.05	Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.06	Other articles of nickel		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.03	Wrought plates, sheets and strip, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.05	Aluminium powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.07	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.08	Structures, complete or incomplete, whether or not assembled, and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquified gas), of aluminium, of a capacity exceeding 300 litres, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.10	Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers), of aluminium, of a description commonly used for the conveyance or packing of goods		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.11	Containers of aluminium for compressed or liquified gas		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.13	Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.14	Expanded metal, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.15	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.16	Other articles of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
77.02	Wrought bars, rods, angles, shapes and sections, of magnesium; magnesium wire; wrought plates, sheets and strip, of magnesium; magnesium foil; raspings and shavings of uniform size, powders and flakes, of magnesium; tubes and pipes and blanks therefor, of magnesium; hollow bars of magnesium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
77.03	Other articles of magnesium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.02	Wrought bars, rods, angles, shapes and sections, of lead; lead wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.03	Wrought plates, sheets and strip, of lead		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.04	Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1.7 kg/m ² ; lead powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.05	Tubes and pipes and blanks therefor, of lead; hollow bars and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
78.06	Other articles of lead		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.04	Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of zinc		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.05	Gutters, roof capping, skylight frames, and other fabricated building components, of zinc		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.06	Other articles of zinc		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.02	Wrought bars, rods, angles, shapes and sections, of tin; tin wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.03	Wrought plates, sheets and strip, of tin		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.04	Tin foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg/m ² ; tin powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
80.05	Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screwdriving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾
82.06	Knives and cutting blades, for machines or for mechanical appliances		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾
ex Chapter 84	Boilers, machinery and mechanical appliances and parts thereof, excluding refrigerators and refrigerating equipment (electrical and other) (No 84.15) and sewing machines, including furniture specially designed for sewing machines (ex No 84.41)		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
84.15	Refrigerators and refrigerating equipment (electrical and other)		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽²⁾ used are originating products

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

⁽²⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 84.41	Sewing machines, including furniture for sewing machines		<p>Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the materials and parts ⁽¹⁾ used for the assembly of the head (motor excluded) are originating products, and</p> <p>(b) the thread tension, crochet and zigzag mechanisms are originating products</p>
ex Chapter 85	Electrical machinery and equipment; parts thereof; excluding products of heading No 85.14 or 85.15		<p>Working, processing or assembly in which the value of the non-originating material and parts used does not exceed 40% of the value of the finished product</p>
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers		<p>Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and</p> <p>(b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾</p>

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40%.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
85.15	Radiotelegraphic and radio-telephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾
Chapter 86	Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway track fixtures and fittings; traffic signalling equipment of all kinds (not electrically powered)		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
ex Chapter 87	Vehicles, other than railway or tramway rolling-stock, and parts thereof, excluding products of heading No 87.09		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
87.09	Motor-cycles, autocycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 90	Optical, photographic cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus and parts thereof, excluding products of heading No 90.05, 90.07, 90.08, 90.12 or 90.26		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40%.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
90.05	Refracting telescopes (monocular and binocular), prismatic or not		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.07	Photographic cameras; photographic flashlight apparatus		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.08	Cinematographic cameras projectors, sound recorders and sound reproducers; any combination of these articles		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.12	Compound optical microscopes, whether or not provided with means for photographing or projecting the image		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.26	Gas, liquid and electricity supply or production meters; calibrating meters therefor		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex Chapter 91	Clocks and watches and parts thereof, excluding products of heading No 91.04 or 91.08		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
91.04	Other clocks		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
91.08	Clock movements, assembled		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 92	Musical instruments; sound recorders and reproducers; television image and sound recorders and reproducers, magnetic; parts and accessories of such articles; excluding products of heading No 92.11		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including record players and tape decks, with or without sound-heads; television image and sound recorders and reproducers, magnetic		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

(a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40%.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
Chapter 93	Arms and ammunition; parts thereof		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
96.02	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers; squeegees (other than roller squeegees) and mops		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
97.03	Other toys; working models of a kind used for recreational purposes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.01	Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap fasteners and press-studs; blanks and parts of such articles		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.08	Typewriter and similar ribbons, whether or not on spools; ink-pads, with or without boxes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

ANNEX III

LIST B

List of working or processing operations which do not result in a change of tariff heading, but which do confer the status of 'originating products' on the products undergoing such operations

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
		Incorporation of non-originating materials and parts in boilers, machinery, mechanical appliances, etc., of Chapters 84 to 92 in boilers and radiators of heading No 73.37 and in the products contained in heading Nos 97.07 and 98.03 does not make such products lose their status of originating products, provided that the value of these products does not exceed 5% of the value of the finished product
13.02	Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 50% of the value of the finished product
ex 15.10	Fatty alcohols	Manufacture from fatty acids
ex 21.03	Prepared mustard	Manufacture from mustard flour
ex 22.09	Whisky of an alcoholic strength of less than 50°	Manufacture from alcohol deriving exclusively from the distillation of cereals and in which the value of the non-originating constituent products does not exceed 15% of the value of the manufactured product
ex 25.09	Earth colours, calcined or powdered	Crushing and calcination or powdering of earth colours
ex 25.15	Marble squared by sawing, of a thickness not exceeding 25 cm	Sawing into slabs or sections, polishing, grinding and cleaning of marble, including marble not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.16	Granite, porphyry, basalt, sandstone and other monumental and building stone, squared by sawing, of a thickness not exceeding 25 cm	Sawing of granite, porphyry, basalt, sandstone and other building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.18	Calcined dolomite; agglomerated dolomite (including tarred dolomite)	Calcination of unworked dolomite
ex Chapters 28 to 37	Products of the chemical and allied industries excluding calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally (ex 31.03) and essential oils other than of citrus fruit, terpeneless (ex 33.01)	Working or processing in which the value of the non-originating products used does not exceed 20% of the value of the finished product

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 31.03	Calcined, crushed and powdered natural aluminium calcium phosphates, treated thermically	Crushing and powdering of calcined natural aluminium calcium phosphates, treated thermically
ex 33.01	Essential oils, other than of citrus fruit, terpeneless	Deterpenation of essential oils other than of citrus fruit
ex Chapter 38	Miscellaneous chemical products, other than refined tall oil (ex 38.05) and sulphate turpentine refined (ex 38.07)	Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product
ex 38.05	Refined tall oil	Refining of crude tall oil
ex 38.07	Sulphate turpentine, purified	Purification consisting of the distillation or refining of raw sulphate turpentine
ex Chapter 39	Artificial plastic materials, cellulose ethers and esters, artificial resins and articles made of these materials, excepting films of ionomers (ex 39.02)	Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product
ex 39.02	Ionomer film	Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metal ions, mainly zinc and sodium
ex 40.01	Slabs of crepe rubber for soles	Lamination of crepe sheets of natural rubber
ex 40.07	Rubber thread and cord, textile-covered	Manufacture from rubber thread or cord
ex 41.01	Sheep and lambskins without the wool	Removing wool from sheep and lambskins in the wool
ex 41.02	Retanned bovine cattle leather (including buffalo leather) and equine leather, except leather of heading Nos 41.06 to 41.08	Retanning of bovine cattle leather (including buffalo leather) and equine leather, not further prepared than tanned
ex 41.03	Retanned sheep and lambskin leather, except leather of heading Nos 41.06 to 41.08	Retanning of sheep and lambskin leather, not further prepared than tanned
ex 41.04	Retanned goat and kidskin leather, except leather of heading Nos 41.06 to 41.08	Retanning of goat and kidskin leather, not further prepared than tanned
ex 41.05	Other kinds of retanned leather, except leather of heading Nos 41.06 to 41.08	Retanning of other kinds of leather, not further prepared than tanned
ex 43.02	Assembled furskins	Bleaching, dyeing, dressing, cutting and assembling of tanned or dressed furskins
ex 50.03	Silk waste carded or combed	Carding or combing waste silk

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 50.09 ex 50.10 ex 51.04 ex 53.11 ex 53.12 ex 53.13 ex 54.05 ex 55.07 ex 55.08 ex 55.09 ex 56.07	Printed fabrics	Printing accompanied by finishing operations (bleaching, dressing, drying, steaming, burling, mending, impregnating, sanforizing, mercerizing) of fabrics the value of which does not exceed 47.5% of the value of the finished product
ex 59.14	Incandescent gas mantles	Manufacture from tubular gas mantle fabric
ex 68.03	Articles of slate, including articles of agglomerated slate	Manufacture of articles of slate
ex 68.13	Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate	Manufacture of articles of asbestos or of mixtures with a basis of asbestos, or of mixtures with a basis of asbestos and magnesium carbonate
ex 68.15	Articles of mica, including bonded mica splittings on a support of paper or fabric	Manufacture of articles of mica
ex 70.10	Cut-glass bottles	Cutting of bottles the value of which does not exceed 50% of the value of the finished product
70.13	Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or similar uses	Cutting of glassware the value of which does not exceed 50% of the value of the finished product or decoration, with the exception of silk-screen printing, carried out entirely by hand, of hand-blown glassware the value of which does not exceed 50% of the value of the finished product
ex 70.20	Articles made from glass fibre	Manufacture from unworked glass fibre
ex 71.02	Precious and semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked precious and semi-precious stones
ex 71.03	Synthetic or reconstructed precious or semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked synthetic or reconstructed precious or semi-precious stones
ex 71.05	Silver and silver alloys, including silver gilt and platinum-plated silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought silver and silver alloys
ex 71.05	Silver, including silver gilt and platinum-plated silver, unwrought	Alloying or electrolytic separation of unwrought silver and silver alloys

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 71.06	Rolled silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled silver
ex 71.07	Gold, including platinum-plated gold, semi-manufactured	Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold
ex 71.07	Gold, including platinum-plated gold, unwrought	Alloying or electrolytic separation of unwrought gold or gold alloys
ex 71.08	Rolled gold on base metal or silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled gold on base metal or silver
ex 71.09	Platinum and other metals of the platinum group, semi-manufactured	Rolling, drawing, beating or grinding of unwrought platinum or other metals of the platinum group
ex 71.09	Platinum and other metals of the platinum group, unwrought	Alloying or electrolytic separation of unwrought platinum or other metals of the platinum group
ex 71.10	Rolled platinum or other platinum group metals, on base metal or precious metal, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled platinum or other unwrought platinum group metals or precious metal
ex 73.15	Alloy steel and high carbon steel:	
	— in the forms mentioned in heading Nos 73.07 to 73.13	Manufacture from products in the forms mentioned in heading No 73.06
	— in the forms mentioned in heading No 73.14	Manufacture from products in the forms mentioned in heading No 73.06 or 73.07
ex 74.01	Unrefined copper (blister copper and other)	Smelting of copper matte
ex 74.01	Refined copper	Fire-refining or electrolytic refining of unrefined copper (blister copper and other), copper waste or scrap
ex 74.01	Copper alloy	Fusion and thermal treatment of refined copper, copper waste or scrap
ex 75.01	Unwrought nickel (excluding electro-plating anodes of heading No 75.05)	Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy
ex 75.01	Unwrought nickel except nickel alloys	Refining of waste by electrolysis, by melting or by chemical means of waste and scrap

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 76.01	Unwrought aluminium	Manufacture by thermal or electrolytic treatment of unalloyed aluminium and scrap
ex 77.04	Beryllium wrought	Rolling, drawing or grinding of unwrought beryllium the value of which does not exceed 50% of the value of the finished product
ex 78.01	Refined lead	Manufacture by thermal refining from bullion lead
ex 81.01	Tungsten, wrought	Manufacture from unwrought tungsten the value of which does not exceed 50% of the value of the finished product
ex 81.02	Molybdenum, wrought	Manufacture from unwrought molybdenum the value of which does not exceed 50% of the value of the finished product
ex 81.03	Tantalum, wrought	Manufacture from unwrought tantalum the value of which does not exceed 50% of the value of the finished product
ex 81.04	Other base metals, wrought	Manufacture from other base metals, unwrought the value of which does not exceed 50% of the value of the finished product
ex 83.06	Indoor ornaments made from base metals other than statuettes	Working or processing in which the value of the non-originating materials used does not exceed 30% of the value of the finished product
84.06	Internal combustion piston engines	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
ex 84.08	Engines and motors, excluding reaction engines and gas turbines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
84.16	Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass working machines) and cylinders thereof	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature, for wood, paper pulp, paper and paperboard manufacturing industries	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
84.31	Machinery for making or finishing cellulosic pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
84.33	Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
ex 84.41	Sewing machines, including furniture specially designed for sewing machines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: <ul style="list-style-type: none"> (a) at least 50% of the materials and parts ⁽¹⁾ used for assembly of the head (motor excluded) are originating products, and (b) the thread tension, crochet and zigzag mechanisms are originating products
85.14	Microphones and stands therefor; loudspeakers; audiofrequency electric amplifiers	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio, broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾
87.06	Parts and accessories of the motor vehicles of heading Nos 87.01 to 87.03	Working, processing or assembly in which the value of the materials and parts used does not exceed 15% of the value of the finished product

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products in the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

⁽²⁾ The application of this rule must not have the effect of allowing the exceeding of the percentage of 3% for the originating transistors laid down in List A for the same tariff heading.

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 94.01	Chairs and other seats (other than those falling within heading No 94.02) whether or not convertible into beds, made of base metals	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use, of which the value does not exceed 25% of the value of the finished product ⁽¹⁾
ex 94.03	Other furniture of base metal	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use of which the value does not exceed 25% of the value of the finished product ⁽¹⁾
ex 95.01	Articles of tortoise-shell	Manufacture from worked tortoise-shell
ex 95.02	Articles of mother of pearl	Manufacture from worked mother of pearl
ex 95.03	Articles of ivory	Manufacture from worked ivory
ex 95.04	Articles of bone (excluding whalebone)	Manufacture from worked bone (excluding whalebone)
ex 95.05	Articles of horn, coral (natural or agglomerated) or of other animal carving material	Manufacture from worked horn, coral (natural or agglomerated) or other animal carving material
ex 95.06	Articles of vegetable carving material (for example, corozo)	Manufacture from worked vegetable carving material (for example, corozo)
ex 95.07	Articles of jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum	Manufacture from worked jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum
ex 98.11	Smoking pipes, pipe bowls, of wood, root or other materials	Manufacture from roughly shaped blocks

⁽¹⁾ This rule does not apply when the general rule of change of tariff heading is applied to the other non-originating parts which are part of the composition of the final product.

ANNEX IV

LIST C

List of products excluded from the scope of this Protocol

CCT heading No	Description
ex 27.07	Assimilated aromatic oils as defined in Note 2 to Chapter 27, of which more than 65% by volume distils at a temperature of up to 250° C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels
27.09 to 27.16	} Mineral oils and products of their distillation; bituminous substances; mineral waxes
ex 29.01	
ex 34.03	Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, but not including preparations containing 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals
ex 34.04	Waxes with a basis of paraffin, of petroleum waxes, of waxes obtained from bituminous minerals, of slack wax or of scale wax
ex 38.14	Prepared additives for lubricants

ANNEX V

MOVEMENT CERTIFICATE

<p>1. Exporter (Name, full address, country)</p>	<p>EUR.1 No A 000.000</p> <p>See notes overleaf before completing this form</p>	
<p>3. Consignee (Name, full address, country) (Optional)</p>	<p>2. Certificate used in preferential trade between</p> <p>.....</p> <p style="text-align: center;">and</p> <p>.....</p> <p style="text-align: center;">(insert appropriate countries, groups of countries or territories)</p>	
	<p>4. Country, group of countries or territory in which the products are considered as originating</p>	<p>5. Country, group of countries or territory of destination</p>
<p>6. Transport details (Optional)</p>	<p>7. Remarks</p>	
<p>8. Item number; Marks and numbers; Number and kind of packages ⁽¹⁾; Description of goods</p>	<p>9. Gross weight (kg) or other measure (litres, m³, etc.)</p>	<p>10. Invoices (Optional)</p>
<p>11. CUSTOMS ENDORSEMENT</p> <p>Declaration certified Export document ⁽²⁾</p> <p style="text-align: right;">Stamp</p> <p>Form No</p> <p>Customs office</p> <p>Issuing country or territory</p> <p>.....</p> <p>Date</p> <p style="text-align: center;">(Signature)</p>		<p>12. DECLARATION BY THE EXPORTER</p> <p>I, the undersigned, declare that the goods described above meet the conditions required for the issue of the attached certificate.</p> <p>Place and date:</p> <p style="text-align: center;">(Signature)</p>

⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

⁽²⁾ Complete only where the regulations of the exporting country or territory require.

<p>13. REQUEST FOR VERIFICATION, to</p>	<p>14. RESULT OF VERIFICATION,</p>
<p>Verification of the authenticity and accuracy of this certificate is requested.</p> <p>..... (Place and date) Stamp</p> <p>..... (Signature)</p>	<p>Verification carried out shows that this certificate ⁽¹⁾</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p>..... (Place and date) Stamp</p> <p>..... (Signature)</p> <p>⁽¹⁾ Insert X in the appropriate box.</p>

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR. 1 No A 000.000		
3. Consignee (Name, full address, country) (Optional)	See notes overleaf before completing this form		
	2. Application for a certificate to be used in preferential trade between and (insert appropriate countries, groups of countries or territories)		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages ⁽¹⁾ ; Description of goods	9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)	

⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

.....

.....

.....

.....

SUBMIT the following supporting documents ⁽¹⁾:

.....

.....

.....

.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

⁽¹⁾ For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

ANNEX VI

(RECIO)
 Before completing this form read carefully the instructions on the other side.

FORM EUR. 2 No		1 Form used in preferential trade between ⁽¹⁾ and	
2 Exporter (Name, full address, country)	3 Declaration by exporter I, the undersigned, exporter of the goods described below, declare that the goods comply with the requirements for the completion of this form and that the goods have obtained the status of originating products within the provisions governing preferential trade shown in box 1.		
4 Consignee (Name, full address, country)	5 Place and date		
6 Signature of exporter			
7 Remarks ⁽²⁾	8 Country of origin ⁽³⁾	9 Country of destination ⁽⁴⁾	
		10 Gross weight (kg)	
11 Marks; Numbers of consignment; Description of goods		12 Authority in the exporting country ⁽⁴⁾ responsible for verification of the declaration by the exporter	

⁽¹⁾ Insert the countries, groups of countries or territories concerned.

⁽²⁾ Refer to any verification already carried out by the appropriate authorities.

⁽³⁾ The term 'country of origin' means country, group of countries or territory where the goods are considered to be originating.

⁽⁴⁾ The term 'country' means country, group of countries or territory of destination.

<p>13 Request for verification</p> <p>The verification of the declaration by the exporter on the front of this form is requested (*)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p>	<p>14 Result of verification</p> <p>Verification carried out shows that (1)</p> <p><input type="checkbox"/> the statements and particulars given in this form are accurate.</p> <p><input type="checkbox"/> this form does not meet the requirements as to accuracy and authenticity (see remarks appended.)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p> <p>(1) Insert X in the appropriate box.</p>
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(VERSO)

(*) Subsequent verifications of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the accuracy of the information regarding the authenticity of the forms and the true origin of the goods in question.

Instructions for the completion of form EUR. 2

1. A form EUR.2 may be made out only for goods which in the exporting country fulfil the conditions specified by the provisions governing the trade referred to in box 1. These provisions must be studied carefully before the form is completed.
2. In the case of a consignment by parcel post the exporter attaches the form to the dispatch note. In the case of a consignment by letter post he encloses the form in a package. The reference 'EUR.2' and the serial number of the form should be stated on the customs green label declaration C1 or on the customs declaration C2/CP3, as appropriate.
3. These instructions do not exempt the exporter from complying with any other formalities required by customs or postal regulations.
4. An exporter who uses this form is obliged to submit to the appropriate authorities any supporting evidence which they may require and to agree to any inspection by them of his accounts and of the processes of manufacture of the goods described in box 11 of this form.

FINANCIAL PROTOCOL

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND,

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE PRESIDENT OF THE REPUBLIC OF MALTA,

of the other part,

CONSCIOUS of the need to promote the accelerated development of the Maltese economy with a view to facilitating the pursuit of the objectives of the Agreement establishing an association between the European Economic Community and Malta,

HAVE DESIGNATED as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Joseph VAN DER MEULEN,

Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK:

Niels ERSBOELL,
Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the European Communities;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Ulrich LEBSANFT,
Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Jean-Marie SOUTOU,
Ambassador of France, Permanent Representative to the European Communities;

THE PRESIDENT OF IRELAND:

Brendan DILLON,
Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the European Communities;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Giorgio BOMBASSEI FRASCANI DE VETTOR,
Ambassador of Italy, Permanent Representative to the European Communities;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

E. J. KORTHALS ALTES,

Minister, Plenipotentiary, Deputy Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND:

Sir Donald MAITLAND, CMG, OBE,

Ambassador Extraordinary and Plenipotentiary, Permanent Representative to the European
Communities;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Jean DONDELINGER,

Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Luxemburg,
Chairman of the Permanent Representatives Committee;

Theodorus HIJZEN,

Director-General of External Relations of the Commission of the European Communities;

THE PRESIDENT OF THE REPUBLIC OF MALTA:

Joseph Attard KINGSWELL,

Ambassador Extraordinary and Plenipotentiary, Permanent Delegate of the Republic of
Malta to the European Economic Community,

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

The Community shall participate, within the framework of financial and technical cooperation, in the financing of projects designed to contribute to the economic and social development of Malta.

Article 2

1. For the purposes specified in Article 1, and for a period expiring five years after the entry into force

of this Protocol, an aggregate amount of 26 million units of account may be committed as follows:

- (a) 16 million units of account in the form of loans from the European Investment Bank, hereinafter called 'the bank', accorded from its own resources on the terms set out in its statute;
- (b) five million units of account in the form of loans on special terms;
- (c) five million units of account in the form of grants.

Provision may be made for contributions to risk capital formation, to be charged against the amount shown in (b).

2. The loans referred to in paragraph 1 (a) shall generally be combined with 2% interest rate subsidies financed by means of the funds shown in paragraph 1 (c).

Article 3

1. The amount fixed in Article 2 shall be used for the financing or part-financing of projects such as:

- capital projects in the fields of production and economic and social infrastructure, aimed in particular at diversifying the economic structure of Malta and, especially, at promoting its industrialization and the modernization of its agriculture, fisheries and tourist industry;
- technical cooperation as a preliminary or complement to capital projects and, as a corollary, technical cooperation schemes in the field of training.

2. Community aids shall be used to cover costs necessarily incurred in carrying out approved projects or schemes. They may not be used to cover current administrative, maintenance or operational expenditure.

Article 4

1. Capital projects shall be eligible for financing either by loans from the bank, combined with interest rate subsidies on the terms set out in Article 2, or by loans on special terms, or by a combination of these two means.

2. Technical cooperation shall normally be financed by grants.

Article 5

1. The amounts to be committed each year for each of the various forms of aid shall be distributed as evenly as possible throughout the period of application of this Protocol. During the initial period of application, however, a proportionately higher amount may, within reasonable limits, be committed.

2. Any funds not committed by the end of the fifth year following the entry into force of the Protocol shall be used, until exhausted, in accordance with

the same arrangements as provided for in this Protocol.

Article 6

1. Loans accorded by the bank from its own resources shall be combined with terms as to duration established on the basis of the economic and financial characteristics of the projects for which such loans are intended. The interest rate shall be that applied by the bank at the time of signature of each loan contract, subject to the interest rate subsidy referred to in Article 2 (2).

2. Loans on special terms shall be accorded for 40 years with a grace period of 10 years. The interest rate shall be fixed at 1%.

3. The loans may be granted through the intermediary of the State of Malta or appropriate Maltese public bodies, on condition that they onlend the amounts to the recipients on terms decided, by agreement with the Community, on the basis of the economic and financial characteristics of the projects.

Article 7

Aid contributed by the Community for the execution of certain projects may, with the agreement of Malta, take the form of co-financing in which, in particular, credit and development bodies and institutions of Malta, of Member States or of third States or international finance organizations would take part.

Article 8

The following shall be eligible for financial and technical cooperation:

(a) in general:

- the State of Malta;

(b) with the agreement of the State of Malta, for projects or measures approved by it:

- Maltese official development agencies;
- private agencies working in Malta for economic and social development;
- firms, carrying on their activities in accordance with the methods of industrial and business management, which are set up as companies or firms under Maltese law;

- groups of producers that are nationals of Malta, and exceptionally, where no such groups exist, the producers themselves;
- scholarship holders and trainees sent by Malta under the training schemes referred to in Article 3.

Article 9

1. On the entry into force of this Protocol, the Community and Malta shall establish by mutual agreement the specific objectives of financial and technical cooperation, by reference to the priorities set by Malta's development plan.

These objectives may be reviewed by mutual agreement to take account of changes in Malta's economic situation or in the objectives and priorities set by its development plan.

2. Within the framework established pursuant to paragraph 1, financial and technical cooperation shall apply to projects and measures drawn up by Malta or by other beneficiaries approved by that country.

Article 10

1. For each request for financial aid under this Protocol, a dossier shall be submitted to the Community by the beneficiary referred to in Article 8 (a) or, with the agreement of Malta, by those referred to in Article 8 (b).

2. The Community shall appraise the requests for financing in collaboration with the State of Malta and the beneficiaries in accordance with the objectives set out in Article 9 (1), and shall inform them of the decisions taken on such requests.

Article 11

The execution, management and maintenance of works that are the subject of financing under this Protocol shall be the responsibility of Malta or the other beneficiaries referred to in Article 8 of this Protocol.

The Community shall ensure that this financial aid is expended in accordance with the agreed allocations and to the best economic advantage.

Article 12

1. As regards projects and measures financed by the Community, participation in tendering procedures

and other procedures for the award of contracts shall be open, on equal terms, to all natural or legal persons of Malta and of the Member States.

2. To promote participation by Maltese firms in the performance of contracts, an accelerated procedure for issuing invitations to tender involving shorter time limits for the submission of tenders may be used after approval by the relevant Community body where the works in question, because of their scale, are mainly of interest to Maltese firms.

3. Where the relevant Community body considers it useful, participation by other countries in contracts financed by the Community may be authorized exceptionally on a case-by-case basis.

Participation by third countries may also be authorized on the same conditions where the Community is financing schemes jointly with other sources of funds.

Article 13

Malta shall apply to contracts awarded for the execution of projects or measures financed by the Community fiscal and customs arrangements as favourable as those applied in respect of other international organizations.

Article 14

Where a loan is accorded to a beneficiary other than the State of Malta, the provision of a guarantee by the latter or of other guarantees considered adequate may be required by the Community as a condition of the grant of the loan.

Article 15

Throughout the duration of the loans accorded pursuant to this Protocol, Malta shall undertake to make available to debtors enjoying such loans the foreign currency necessary for the payment of interest and commission and the repayment of principal.

Article 16

The results of financial and technical cooperation shall be examined annually by the Association

Council which shall define, where appropriate, the general guidelines of such cooperation.

Article 17

This Protocol forms an integral part of the Agreement establishing an association between the European Economic Community and Malta.

Article 18

1. This Protocol shall require ratification, acceptance or approval in accordance with the procedures in force in each of the signatory States

and the European Economic Community. The acts necessary for this purpose shall be exchanged at Brussels.

2. This Protocol will enter into force on the first day of the second month following the date on which the exchange of acts referred to in paragraph 1 has been carried out.

Article 19

This Protocol is drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne finansprotokol.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Finanzprotokoll gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Financial Protocol.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent protocole financier.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente protocollo finanziario.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder dit Financieel Protocol hebben gesteld.

Udfærdiget i Bruxelles, den fjerde marts nitten hundrede og seksoghalvfjerds.

Geschehen zu Brüssel am vierten März neunzehnhundertsechundsiebzig.

Done at Brussels on the fourth day of March in the year one thousand nine hundred and seventy-six.

Fait à Bruxelles, le quatre mars mil neuf cent soixante-seize.

Fatto a Bruxelles, addì quattro marzo millenovecentosettantasei.

Gedaan te Brussel, de vierde maart negentienhonderd zesenzeventig.

Pour Sa Majesté le roi des Belges
Voor Zijne Majesteit de Koning der Belgen

J. Van der Meulen

For Hendes Majestæt dronningen af Danmark

Grete Engberg

Für den Präsidenten der Bundesrepublik Deutschland

U. Lisant

Pour le président de la République française

Jean-Marie Le Pen

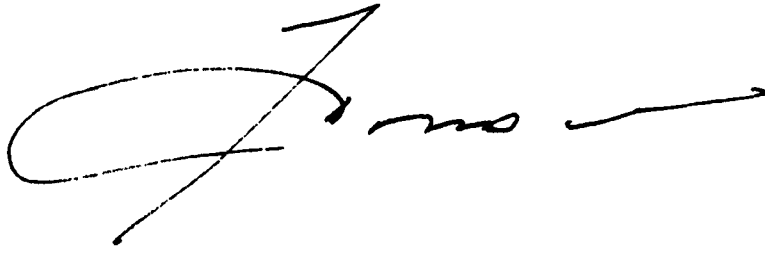
For the President of Ireland

Brendan Dillon

Per il Presidente della Repubblica italiana

Amintore Fanfani

Pour Son Altesse Royale le grand-duc de Luxembourg



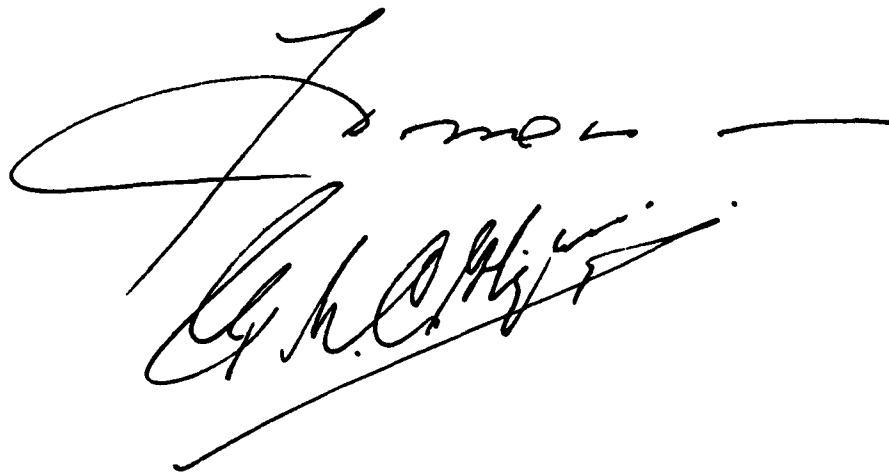
Voor Hare Majesteit de Koningin der Nederlanden



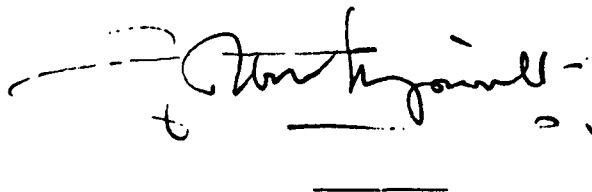
For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland



På Rådet for De europæiske Fællesskabers vegne,
Im Namen des Rates der Europäischen Gemeinschaften,
In the name of the Council of the European Communities,
Au nom du Conseil des Communautés européennes,
A nome del Consiglio delle Comunità europee,
Namens de Raad van de Europese Gemeenschappen,



For the President of the Republic of Malta



FINAL ACT

The Plenipotentiaries of:

His Majesty the King of the Belgians,

Her Majesty the Queen of Denmark,

The President of the Federal Republic of Germany,

The President of the French Republic,

The President of Ireland,

The President of the Italian Republic,

His Royal Highness the Grand Duke of Luxembourg,

Her Majesty the Queen of the Netherlands,

Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland,

and of the Council of the European Communities,

of the one part,

and of the President of the Republic of Malta,

of the other part,

meeting at Brussels on 4 March 1976, for the signature:

— of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta,

— of the Financial Protocol,

I. have, on signing the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta,

— adopted the following Joint Declarations by the Contracting Parties:

1. Joint Declaration by the Contracting Parties on Article 2,
 2. Joint Declaration by the Contracting Parties on Article 13,
 3. Joint Declaration by the Contracting Parties on agricultural products,
- taken note of the Declarations listed below:
1. Declaration by the European Economic Community on the regional application of certain provisions of the Agreement,
 2. Declaration by the European Economic Community on Article 25 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation,
- and taken note of the Exchange of Letters on scientific and technological cooperation and the protection of the environment between the Presidents of the two delegations,
- II. have, on signing the Financial Protocol, taken note of the Declaration below:
- Declaration by the European Economic Community on Article 2.

The above Declarations and the Exchange of Letters are annexed to this Final Act.

The Plenipotentiaries have agreed that these Declarations and this Exchange of Letters shall be subjected, in the same manner as the Protocols, to any procedures that may be necessary to ensure their validity.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne slutakt.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diese Schlußakte gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Final Act.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent acte final.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente atto finale.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Slotakte hebben gesteld.

Udfærdiget i Bruxelles, den fjerde marts nitten hundrede og seksoghalvfjerds.

Geschehen zu Brüssel am vierten März neunzehnhundertsechundsiebzig.

Done at Brussels on the fourth day of March in the year one thousand nine hundred and seventy-six.

Fait à Bruxelles, le quatre mars mil neuf cent soixante-seize.

Fatto a Bruxelles, addì quattro marzo millenovecentosettantasei.

Gedaan te Brussel, de vierde maart negentienhonderd zesenzeventig.

Pour Sa Majesté le roi des Belges

Voor Zijne Majesteit de Koning der Belgen

J. Van der Meulen

For Hendes Majestæt dronningen af Danmark

Oluf Enevoldsen

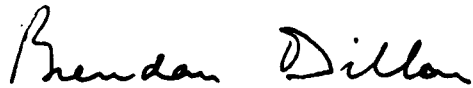
Für den Präsidenten der Bundesrepublik Deutschland

U. Lobsenz

Pour le président de la République française



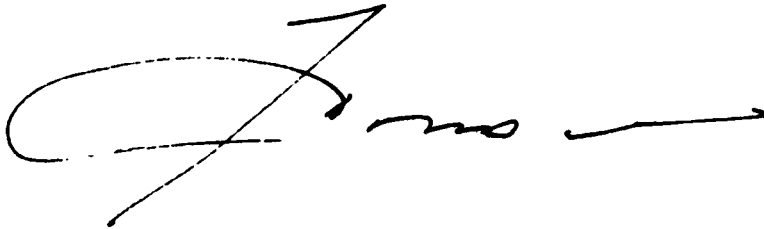
For the President of Ireland



Per il Presidente della Repubblica italiana



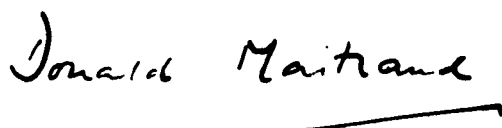
Pour Son Altesse Royale le grand-duc de Luxembourg



Voor Hare Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland



Joint Declaration by the Contracting Parties on Article 2

The Contracting Parties agree that the Community shall allocate the tariff quotas provided for in Article 2 between the Community as originally constituted and the new Member States as follows:

(in metric tons)

CCT heading No	Description	Community as originally constituted	New Member States
55.05	Cotton yarn, not put up for retail sale	750	160
56.04	Man-made fibres, (discontinuous or waste), carded, combed or otherwise prepared for spinning	600	200
60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	100	90
61.01	Men's and boys' outer garments	300	430

Joint Declaration by the Contracting Parties on Article 13

The Contracting Parties agree that, without prejudice to the application of the first subparagraph of Article 22 (2) of Regulation (EEC) No 1035/72, the products listed in Article 13 of the Protocol and included in Annex III to that Regulation shall be admitted into the Community without quantitative restrictions or measures having equivalent effect throughout the period during which duty reductions apply.

Joint Declaration by the Contracting Parties on agricultural products

1. The Contracting Parties declare their readiness to foster, so far as their agricultural policies allow, the harmonious development of trade in agricultural products to which the Protocol does not apply.

The Contracting Parties shall apply their rules on veterinary, health and plant health matters in a non-discriminatory fashion and shall not introduce any new measures that have the effect of unduly obstructing trade.

2. The Contracting Parties shall examine, under the conditions set out in Article 14 of the Agreement, any difficulties that might arise in their trade in agricultural products and shall endeavour to seek appropriate solutions.

Declaration by the European Economic Community concerning the regional application of certain provisions of the Agreement

The European Economic Community declares that the application of the measures open to it under Article 10 of the Agreement might be limited, by reason of Community rules, to one of its regions.

Declaration of the European Economic Community on Article 25 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation

For the implementation of Article 25 of this Protocol, the Community is prepared to examine any request by Malta in order to bring derogations to this Protocol in favour of biscuits falling within heading No 19.08, embroidery falling within heading No 58.10 and radios falling within heading No 85.15 which are being already exported from Malta to the Community. This examination shall be held in an appropriate institutional framework, from the date of the signature of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta with a view to allowing, if possible, the derogations to enter into force at the same date as the Protocol.

Exchange of Letters relating to scientific and technological cooperation and the protection of the environment

Your Excellency,

Further to the wishes expressed by the Maltese delegation at the negotiations which have ended in a Protocol being concluded today between the European Economic Community and Malta, I have the honour to inform you, on behalf of the Member States of the European Economic Community, that the latter are ready to examine on a case-by-case basis the possibility of Malta having access to the results of the research programmes carried out by the Member States of the Community or by the latter in collaboration with other third countries in the fields of science, technology and the protection of the environment.

I should be grateful if you would acknowledge receipt of this letter.

Please accept, your Excellency, the assurance of my highest consideration.

Sir,

You were good enough to make the following communication to me in your letter of today's date:

'Further to the wishes expressed by the Maltese delegation at the negotiations which have ended in a Protocol being concluded today between the European Economic Community and Malta, I have the honour to inform you, on behalf of the Member States of the European Economic Community, that the latter are ready to examine on a case-by-case basis the possibility of Malta having access to the results of the research programmes carried out by the Member States of the Community or by the latter in collaboration with other third countries in the fields of science, technology and the protection of the environment.

I should be grateful if you would acknowledge receipt of this letter.'

I have the honour to acknowledge receipt of that letter.

Please accept, Sir, the assurance of my highest consideration.

Declaration of the European Economic Community on Article 2 of the Financial Protocol

1. The unit of account used to express the amounts indicated in Article 2 of the Financial Protocol equals the sum of the following amounts in terms of the national currencies of the Member States of the Community:

German mark	0.828
Pound sterling	0.0885
French Franc	1.15
Italian lira	109
Dutch guilder	0.286
Belgian franc	3.66
Luxembourg franc	0.14
Danish krone	0.217
Irish pound	0.00759

2. The value of the unit of account in any other currency is equal to the sum of the countervalues in this currency of the amounts of currencies indicated in paragraph 1. The countervalue is fixed by the Commission on the basis of the rates established daily on the exchange markets.

The daily rates of exchange in the various national currencies are available every day; they are published periodically in the *Official Journal of the European Communities*.

Information on the date of the entry into force of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta

The exchange of the instruments giving notice of the completion of the procedures necessary for the entry into force of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta, signed in Brussels on 4 March 1976, having taken place on 30 April 1976 in Brussels, the Protocol will enter into force on 1 June 1976 in accordance with Article 25 of the same.

The date of the entry into force of the Financial Protocol will be published in the *Official Journal of the European Communities* once the procedures laid down in Article 18 of the same have been completed.

ADDITIONAL PROTOCOL

to the Agreement establishing an association between the European Economic Community and Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
of the one part,

THE GOVERNMENT OF THE REPUBLIC OF MALTA,
of the other part,

HAVE DECIDED to extend the first stage of the Agreement establishing an association between the European Economic Community and Malta, signed in Valletta on 5 December 1970, and to this end have designated as their Plenipotentiaries :

THE COUNCIL OF THE EUROPEAN COMMUNITIES :

Joseph VAN DER MEULEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Belgium,
Chairman of the Permanent Representatives Committee ;

Roland de KERGORLAY,
Assistant Director General of the Directorate-General for External Relations of the Commission of the European Communities ;

THE GOVERNMENT OF THE REPUBLIC OF MALTA :

Josef von FERENCZY,
Ambassador Extraordinary and Plenipotentiary of the Republic of Malta to the European Economic Community ;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS :

TITLE I**Trade***Article 1*

1. The first stage of the Agreement establishing an association between the European Economic Community and Malta is hereby extended until 31 December 1980.
2. Negotiations are provided for during the twelve months preceding the expiry of the first stage, with a view to defining the content of the second stage.

Article 2

The provisions governing the first stage of the Agreement establishing an association between the European Economic Community and Malta, including those of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta, signed on 4 March 1976, shall be supplemented by the following provisions.

Article 3

1. Subject to the special provisions laid down in Article 5 of this Protocol, products originating in Malta, other than those appearing in Annex II to the Treaty establishing the European Economic Community, in Lists A and B of Annex I to the Agreement and in Article 4 of this Protocol, shall be exempt from payment of customs duty on entry into the Community.

2. Article 3 of Annex I to the Agreement shall be replaced by the following :

'Article 3

For the following goods obtained from the processing of agricultural products, the exemption referred to in Article 3 (1) of the Additional Protocol shall be applied to the fixed component of the charge levied on imports of those goods into the Community :

CCT heading No	Description
18.06	Chocolate and other food preparations containing cocoa
19.03	Macaroni, spaghetti and similar products
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion'

3. The products falling within the following tariff headings shall be added to List A of Annex I to the Agreement :

CCT heading No	Description
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages : B. Compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages C. Spirituous beverages

4. Products falling within heading No 18.06 (chocolate and other food preparations containing cocoa) shall be deleted from List A of Annex I to the Agreement.

Products falling within heading No 55.09 (other woven fabrics of cotton) shall be deleted from List B of Annex I to the Agreement.

Article 4

The following products, originating in Malta, shall, on entry into the Community, be subject to the customs duty indicated in respect of each :

CCT heading No	Description	Rate of customs duty
21.05	Soups and broths, in liquid, solid or powder form ; homogenized composite food preparations :	
	A. Soups and broths, in liquid, solid or powder form	5.4 %
22.03	Beer made from malt	7.2 %

Article 5

Article 2 of Annex I to the Agreement shall be replaced by the following :

'Article 2

1. For the following products, originating in Malta, the Community shall open annual Community tariff quotas for 1977 which shall be exempt from payment of customs duty within the limit of the quantities indicated below :

CC1 heading No	Description	Annual Community tariff quota
55.05	Cotton yarn, not put up for retail sale	1 200 tonnes
55.09	Other woven fabrics of cotton	100 tonnes
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	800 tonnes
60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	216 tonnes
61.01	Men's and boys' outer garments	815 tonnes

2. If the date of the opening of the quotas referred to in paragraph 1 does not coincide with the beginning of the calendar year, they shall be opened on a *pro rata* basis.

3. As from 1 January 1978, imports into the Community of the products referred to in paragraph 1 shall be subject to annual indicative ceilings, above which the customs duties applicable to third countries may be reintroduced in accordance with paragraphs 4 to 7. The amounts of the ceilings for 1978 shall be the amounts specified in paragraph 1 increased by 5 %. These ceilings shall be increased annually by 5 %.

4. If, over two consecutive years, imports of a product subject to ceilings are less than 90 % of the amount fixed, the Community shall suspend the application of those ceilings.

5. In the event of cyclical difficulties, the Community reserves the right, after consultation within the Association Council, to apply for any year the same amount as that fixed for the preceding year.

6. The Community shall notify the Association Council on 1 December of each year of the list of products subject to ceilings in the following year and of the amounts of the ceilings.

7. By way of derogation from Article 3 (1) of the Additional Protocol, when a ceiling fixed for the importation of a product covered by paragraph 1 is reached, Common Customs Tariff duties may be charged again on imports of the product in question until the end of the calendar year.

Article 6

For the products covered by Article 59 (1) (b) of the Act of Accession, Article 4 of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta shall remain applicable until 31 December 1977.

Article 7

For the following product, originating in Malta, the Community shall open, for the period 1 July 1977 to 30 June 1978, a Community tariff quota free of customs duties for the volume indicated:

CCT heading No	Description	Community tariff quota
16.02	Other prepared or preserved meat or meat offal : B. Other : III. Other : b) Other : 1. Containing bovine meat or offal : bb) Other	650 tonnes

Article 8

1. The customs duties and charges having equivalent effect applicable to products originating in the Community when imported into Malta shall be those actually applied in Malta on 1 July 1977.

2. Any changes made by Malta in the customs duties and charges having equivalent effect applied *vis-à-vis* third countries must not have the effect of diminishing the percentage preference enjoyed by the Community in relation to third countries.

Article 9

In the event of modifications to the nomenclature of the customs tariffs of the Contracting Parties affecting products referred to in the Agreement, the Association Council may adapt the tariff nomenclature of those products as it appears in the Agreement.

TITLE II

Rules of origin

Article 10

1. A derogation from the rules of origin contained in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation, annexed to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta, hereinafter called the Origin Protocol, shall be granted for the following products.

2. By way of derogation from the special provisions in Annex II to the Origin Protocol for heading No 16.02 to the effect that non-originating products from Chapter 2 must not be used, canned stewed steak manufactured in Malta shall be regarded as a product originating in Malta even though this condition is not observed, provided that the other conditions applicable to this heading are satisfied.

The following entry must be made in box 7 of movement certificates EUR.1, issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation stewed steak'.

This derogation shall apply until 30 June 1978.

3. By way of derogation from the special provisions in Annex II to the Origin Protocol for heading No 18.06 to the effect that non-originating products from Chapter 17 may not represent more than 30 % of the value of the finished product, chocolates manufactured in Malta shall be regarded as products originating in Malta even though this condition is not observed, provided that the other conditions applicable to this heading are satisfied.

The following entry must be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation chocolates'.

This derogation shall apply until 31 December 1978.

4. By way of derogation from the special provisions in Annex II to the Origin Protocol for heading No 85.15 to the effect that at least 50 % in value of the materials and parts used must be originating products, intermediate-frequency transformers manufactured in Malta shall be regarded as products originating in Malta even though this condition is not observed, provided that the other conditions relating to this heading are satisfied.

The following entry must be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation IFT'.

This derogation shall apply until 30 June 1978.

5. By way of derogation from the special provisions in Annex II to the Origin Protocol for heading No 85.15 to the effect that non-originating transistors may not represent more than 3 % of the value of the finished product, reception apparatus manufactured in Malta shall be regarded as a product originating in Malta even though this condition is not observed, provided that the other conditions relating to this heading are satisfied.

The following entry must be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation radios'.

This derogation shall apply until 30 June 1978.

6. By way of derogation from the special provisions in Annex II to the Origin Protocol for heading No 92.11 to the effect that non-originating transistors may not represent more than 3 % of the value of the finished product, tape recorders manufactured in Malta shall be regarded as products originating in Malta if the value of the non-originating transistor does not exceed 5 % of the value of the finished product, provided that the other conditions relating to this heading are satisfied.

The following entry must be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation tape recorders'.

This derogation shall apply until 30 June 1978.

TITLE III

General and final provisions

Article 11

This Protocol forms an integral part of the Agreement establishing an association between the European Economic Community and Malta.

Article 12

1. This Protocol shall be subject to ratification, acceptance or approval, in accordance with the procedures of the Contracting Parties, who shall notify each other of the completion of the procedures necessary to that end.

2. This Protocol shall enter into force on the first day of the second month following the month in which the notifications referred to in paragraph 1 have been effected.

Article 13

This Protocol is drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne protokol.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Protokoll gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Protocol.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent protocole.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente protocollo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder dit Protocol hebben gesteld.

Udfærdiget i Bruxelles, den syvogtyvende oktober nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am siebenundzwanzigsten Oktober neunzehnhundertsiebenund-siebzig.

Done at Brussels on the twenty-seventh day of October in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-sept octobre mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventisette ottobre millenovecentosettantasette.

Gedaan te Brussel, de zevenentwintigste oktober negentienhonderd zevenenzeventig.

På Rådet for De europæiske Fællesskabers vegne

Für den Rat der Europäischen Gemeinschaften

For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen

J. Van der Meulen

A. de Kerpel

For republikken Maltas regering

Für die Regierung der Republik Malta

For the Government of the Republic of Malta

Pour le gouvernement de la république de Malte

Per il governo della Repubblica di Malta

Voor de Regering van de Republiek Malta

Fanning

FINAL ACT

The Plenipotentiaries of
the Council of the European Communities,
of the one part, and
the Government of the Republic of Malta,
of the other part,

meeting in Brussels on the twenty-seventh day of October in the year one thousand nine hundred and seventy-seven for the signature of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta,

have, on signing this Protocol, adopted the joint declaration by the Contracting Parties on the application of Article 17 of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta.

The Plenipotentiaries have agreed that this declaration shall be subjected, in the same manner as the Protocol, to any procedures that may be necessary to ensure its validity.

Udfærdiget i Bruxelles, den syvogtyvende oktober nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am siebenundzwanzigsten Oktober neunzehnhundertsiebenund-siebzig.

Done at Brussels on the twenty-seventh day of October in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-sept octobre mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventisette ottobre millenovecentosettantasette.

Gedaan te Brussel, de zeventwintigste oktober negentienhonderd zevenenzeventig.

På Rådet for De europæiske Fællesskabers vegne

Für den Rat der Europäischen Gemeinschaften

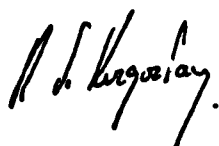
For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen





For republikken Maltas regering

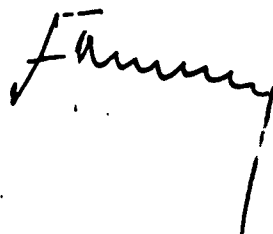
Für die Regierung der Republik Malta

For the Government of the Republic of Malta

Pour le gouvernement de la république de Malte

Per il governo della Repubblica di Malta

Voor de Regering van de Republiek Malta



ANNEX

Joint declaration by the Contracting Parties on the application of Article 17 of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta

In the course of the negotiations which led to the conclusion of the Additional Protocol between the European Economic Community and the Republic of Malta it was stated that on the occasion of the review referred to in Article 17 of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta, the Contracting Parties would examine the tariff treatment applied by Malta to products originating in the Community

Information concerning the date of entry into force of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta

Since the exchange of instruments notifying completion of the procedures necessary for the entry into force of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta, signed in Brussels on 27 October 1977, took place on 30 November 1977 in Brussels, the Protocol will enter into force in accordance with Article 12 thereof on 1 January 1978 .

**Information on the date of entry into force of various Agreements or Protocols
with certain countries of the Mediterranean basin**

- The notification procedures provided for in Article 18 of the Financial Protocol between the EEC and the Republic of Malta, signed in Brussels on 4 March 1976 having been completed on 28 September 1978, the Protocol will enter into force on 1 November 1978.
- The notification procedures provided for in Article 59 of the Cooperation Agreement between the EEC and the Republic of Tunisia (1) and in Article 13 of the Agreement between the Member States of the European Coal and Steel Community and the Republic of Tunisia signed in Tunis on 25 April 1976 having been completed on 28 September 1978, these Agreements will enter into force on 1 November 1978.
- The notification procedures provided for in Article 58 of the Cooperation Agreement between the EEC and the People's Democratic Republic of Algeria (2) and in Article 13 of the Agreement between the Member States of the European Coal and Steel Community and the People's Democratic Republic of Algeria signed in Algiers on 26 April 1976 having been completed on 28 September 1978, these Agreements will enter into force on 1 November 1978.
- The notification procedures provided for in Article 60 of the Cooperation Agreement between the EEC and the Kingdom of Morocco (3) and in Article 13 of the Agreement between the Member States of the European Coal and Steel Community and the Kingdom of Morocco signed in Rabat on 27 April 1976 having been completed on 29 September 1978, these Agreements will enter into force on 1 November 1978.
- The notification procedures provided for in Article 51 of the Cooperation Agreement between the EEC and the Arab Republic of Egypt (4) signed in Brussels on 18 January 1977 having been completed on 28 September 1978, the Agreement will enter into force on 1 November 1978.
- The notification procedures provided for in Article 48 of the Cooperation Agreement between the EEC and the Hashemite Kingdom of Jordan (5) signed in Brussels on 18 January 1977 having been completed on 29 September 1978, the Agreement will enter into force on 1 November 1978.
- The notification procedures provided for in Article 49 of the Cooperation Agreement between the EEC and the Syrian Arab Republic (6) signed in Brussels on 18 January 1977 having been completed on 28 September 1978, the Agreement will enter into force on 1 November 1978.
- The notification procedures provided for in Article 49 of the Cooperation Agreement between the EEC and the Lebanese Republic (7) signed in Brussels on 3 May 1977 having been carried out on 28 September 1978, the Agreement will enter into force on 1 November 1978.
- The notification procedures provided for in Article 16 of the Additional Protocol to the Agreement between the EEC and the State of Israel (8) and in Article 13 of the Protocol on Financial Cooperation between the EEC and the State of Israel signed in Brussels on 8 February 1977 having been completed on 28 September 1978, these Protocols will enter into force on 1 November 1978.

(1) OJ No L 265, 27. 9. 1978, p. 2.
 (2) OJ No L 263, 27. 9. 1978, p. 2.
 (3) OJ No L 264, 27. 9. 1978, p. 2.

(4) OJ No L 266, 27. 9. 1978, p. 2.
 (5) OJ No L 268, 27. 9. 1978, p. 2.
 (6) OJ No L 269, 27. 9. 1978, p. 2.
 (7) OJ No L 267, 27. 9. 1978, p. 2.
 (8) OJ No L 270, 27. 9. 1978, p. 2.

II. Provisions within the Community relating
to the Association Agreement
Table

I

Subject	Pages in the Collected Acts
Council Regulation (EEC) No 666/76 of 25 March 1976 concluding the Agreement extending the provisions governing the first stage of the Agreement establishing an association between the European Economic Community and Malta	2
Council Regulation (EEC) No 1693/77 of 25 July 1977 extending the term of validity of the arrangements applicable to trade with Malta beyond the date of expiry of the first stage of the Association Agreement	3
Council Regulation (EEC) No 2610/77 of 28 November 1977 on the conclusion of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta	4
Council Regulation (EEC) No 1707/78 of 18 July 1978 derogating, for certain products coming from Malta, from the Protocol to the Agreement establishing an association between the European Economic Community and Malta concerning the definition of the concept of 'originating products' and methods of administrative cooperation	5

COLLECTED ACTS - EEC - MALTA ASS.

27. 3. 76

Official Journal of the European Communities

No L 81/1

COUNCIL REGULATION (EEC) No 666/76
of 25 March 1976

concluding the Agreement extending the provisions governing the first stage of the Agreement establishing an association between the European Economic Community and Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof,

Having regard to the recommendation from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the provisions governing the first stage of the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾, signed at Valletta on 5 December 1970, expire on 31 March 1976;

Whereas the Agreement in question provides for the opening of negotiations with a view to defining the content of the second stage;

Whereas, pending the adoption and entry into force of the provisions governing the second stage, an agreement should be concluded extending the provisions governing the first stage of the said Agreement,

HAS ADOPTED THIS REGULATION :

Article 1

The Agreement extending the provisions governing the first stage of the Agreement establishing an association between the European Economic Community and Malta is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council shall give the notification referred to in Article 2 of the Agreement on behalf of the Community.

Article 3

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

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

Done at Brussels, 25 March 1976.

For the Council

The President

M. MART

(1) GEN I 1

COUNCIL REGULATION (EEC) No 1693/77

of 25 July 1977

**extending the term of validity of the arrangements applicable to trade with
Malta beyond the date of expiry of the first stage of the Association Agreement**

(see GOODS II 135 - 137)

29. 11. 77

Official Journal of the European Communities

No L 304/1

COUNCIL REGULATION (EEC) No 2610/77

of 28 November 1977

on the conclusion of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof,

Having regard to the recommendation from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The Additional Protocol to the Agreement establishing an association between the European

Economic Community and Malta and the declaration annexed to the Final Act are hereby approved on behalf of the Community.

The texts of the Protocol and of the Final Act are annexed to this Regulation.

Article 2

The President of the Council shall, as far as the Community is concerned, give the notification provided for in Article 12 of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta .

Article 3

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

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

COUNCIL REGULATION (EEC) No 1707/78

of 18 July 1978

derogating, for certain products coming from Malta, from the Protocol to the Agreement establishing an association between the European Economic Community and Malta concerning the definition of the concept of 'originating products' and methods of administrative cooperation

(see GOODS II 153 - 154)

Institutional Questions

Subdivision :

I. Acts of the Association Council

I. Acts of the Association Council

Table

I

Subject	Pages in the Collected Acts
Decision N° 1/72 of the Council of Association laying down the rules of procedure of the Council of Association and establishing the Committee of Association and the Customs Co-operation Committee	1 - 9
Decision N° 2/72 of the Council of Association fixing the duration of the first term of office of the President of the Council of Association	10

DECISION No 1/72 OF THE COUNCIL OF ASSOCIATION

laying down the rules of procedure of the Council of Association and establishing the Committee of Association and the Customs Co-operation Committee

THE COUNCIL OF ASSOCIATION,

HAVING REGARD to the Agreement establishing an Association between the European Economic Community and Malta and in particular Article 12 (3) and Article 14 (3) thereof,

HAS DECIDED :

Article 1

The rules of procedure of the Council of Association are hereby adopted. These rules of procedure shall be annexed to this decision and form an integral part thereof.

Article 2

A Committee of Association shall be established to assist the Council of Association to carry out its tasks.

Article 3

A Customs Co-operation Committee shall be established, to operate under the authority of the Committee of Association, with the specific task of ensuring administrative co-operation between the Contracting Parties with regard to the correct and uniform implementation of the customs provisions of the Agreement.

Article 4

The composition, tasks and operation of these Committees shall be laid down in the rules of procedure of the Council of Association.

Done at Luxembourg, on 24 April 1972

By the Council of Association

The President

Gaston THORN

The Secretaries

J. MILIS

A. SANT

ANNEX

RULES OF PROCEDURE OF THE COUNCIL OF ASSOCIATION

Article 1

The Council of Association shall meet at ministerial level at least once every year.

Apart from the meetings provided for in the preceding paragraph, the Council of Association shall meet at the level of the representatives of the members of the Council of Association.

The representative of a member of the Council of Association shall have the rights of a full member.

Article 2

The Office of President of the Council of Association shall be held in rotation for a duration of six months by a member of the Council of the European Communities and a member of the Maltese Government.

The first term of office of the President may be curtailed by decision of the Council of Association.

Article 3

Meetings of the Council of Association shall take place where the meetings of the Council of the European Communities are usually held.

The date of the meetings shall be fixed by the President of the Council of Association, after consultation with the members.

Article 4

The members of the Council of Association may be accompanied by officials to assist them. The President shall be informed of the composition of each delegation before the beginning of each meeting.

Article 5

Unless otherwise decided, the meetings of the Council of Association shall not be open to the public. Entry to meetings of the Council shall be subject to production of a pass.

Article 6

Decisions on urgent matters may be taken by the Council of Association by means of a vote by correspondence provided such a procedure is acceptable both to the Community and Malta.

Article 7

All communications from the President as provided for in these rules of procedure shall be addressed to the members of the Council of the European Communities, to the General Secretariat of the Council and to the General Secretariat of the Commission and also to the Permanent Delegation of Malta to the European Communities.

Article 8

The provisional agenda for each meeting shall be drawn up by the President. It shall be sent to the persons and institutions referred to in the preceding Article not less than fifteen days before the beginning of the meeting.

The provisional agenda shall include those items in respect of which a request for their inclusion has reached the President not less than twenty-one days before the beginning of the meeting.

The only items which may appear in the provisional agenda are those in respect of which the relevant documentation is transmitted to the persons and institutions referred to in the preceding Article not later than on the date of dispatch of the agenda.

The agenda shall be adopted by the Council of Association at the beginning of each meeting. An item other than those appearing on the provisional agenda may be included in the agenda with the agreement of both the Community and Malta.

Article 9

Minutes shall be kept of each meeting and shall include a summary of conclusions adopted by the Council of Association on the basis of a brief account of the discussions drawn up by the President.

After their approval by the Council of Association the minutes shall be signed by the President in office and by the Secretaries of the Council of Association and shall be kept in the archives of the Council of Association. A copy of the minutes shall be forwarded to the persons and institutions referred to in Article 7.

Article 10

The official languages of the Council of Association shall be Dutch, English, French, German and Italian.

Unless otherwise decided, the Council of Association shall deliberate on the basis of documents prepared in these five languages.

Any member of the Council of Association may object to the discussion of a text proposed during a meeting, if such text is not made available in one of the five languages which he specifies.

Article 11

Acts adopted by the Council of Association shall bear the signature of the President.

Article 12

Recommendations and decisions of the Council of Association within the meaning of Article 12 of the Agreement shall bear the title of "recommendation" or "decision", followed by a serial number and a description of their subject matter.

Article 13

All recommendations and decisions within the meaning of Article 12 of the Agreement shall be divided into articles.

The acts referred to in the above paragraph shall be concluded with the words "Done at on", the date to be inserted being the date on which they are adopted by the Council of Association.

Recommendations and decisions of the Council of Association shall be communicated to the persons and institutions referred to in Article 7.

Article 14

The Committee of Association shall be instructed to assist the Council of Association in carrying out its tasks, preparing discussions, examining any matter entrusted to it by the Council of Association, and in general, ensuring the continuity of co-operation required for the smooth operation of the Agreement.

The Committee of Association shall be composed of representatives of the members of the Council of Association.

The office of President and the Secretariat of this Committee shall be held under the same conditions and subject to the same rules of rotation as those of the Council of Association.

Article 15

The tasks of the Secretariat shall be carried out jointly by an official of the Community and an official of the Maltese Government.

Article 16

The Customs Co-operation Committee shall be instructed to undertake administrative co-operation for the correct and uniform implementation of the provisions of the Protocol annexed to the Association Agreement, and to carry out such other duties in the customs field as might be entrusted to it by the Committee of Association.

It shall be composed both of customs experts of the Member States and officials of the Commission whose duties include dealing with customs matters, and of Maltese customs experts. The meetings of this Committee shall be presided by the staff of the Commission.

The Customs Co-operation Committee shall keep the Committee of Association regularly informed of all its work and shall submit in advance the agendas for its meetings to the Committee of Association. This shall be done through the Secretariat of the Council of Association. The Customs Co-operation Committee shall inform the Committee of Association of any matters entailing questions of principle or of interpretation of the Agreement.

Article 17

The Community on the one hand and Malta on the other shall be responsible for such expenditure as they may incur by reason of their participation in the meetings of the Council of Association and of its Committees or Working Parties, both with regard to personnel, travelling and subsistence expenses, and to postal and telecommunications expenses.

Expenditure on interpretation at meetings and translation and reproduction of documents shall be borne by the Community, with the exception of costs of interpretation or translation into or from English, which shall be borne by Malta.

Expenditure relating to practical arrangements for meetings shall be borne by the Community.

Article 18

Without prejudice to other applicable provisions, the deliberations of the Council of Association shall be covered by the duty of professional secrecy, unless the Council decides otherwise.

Article 19

Correspondence intended for the Council of Association shall be addressed to the President of the Council of Association and sent to the address of the General Secretariat of the Council of the European Communities.

DECISION No 2/72 OF THE COUNCIL OF ASSOCIATION
fixing the duration of the first term of office
of the President of the Council of Association

THE COUNCIL OF ASSOCIATION,

HAVING REGARD to the Agreement establishing an Association between
the European Economic Community and Malta,

HAVING REGARD to the rules of procedure of the Council of
Association, adopted by Decision No. 1/72 of the Council of
Association and in particular Article 2, second sentence,
thereof,

HAS DECIDED:

Single Article

The first term of office of the President of the Council of
Association shall be curtailed to expire on 30 September 1972

Done at Luxembourg, on 24 April 1972

By the Council of Association

The President

Gaston THORN

The Secretaries

J. MILIS

A. SANT

Free movement of goods

Subdivision :

I. Acts of the Association Council

II. Provisions within the EEC

I. Acts of the Association Council

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I

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Decision No 1/76 of the Council of Association of 29 June 1976 derogating from the concept of 'originating products' for reception apparatus falling within heading No 85.15 of the Brussels Tariff Nomenclature	A5
Decision No 1/78 of the Association Council defining the guidelines for co-operation between the European Economic Community and Malta	A6 - A11
Decision No 1/82 of the EEC-Malta Council of Association of 7 January 1982 replacing the unit of account by the ECU in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation to the Agreement establishing an association between the European Economic Community and Malta	12

RECOMMENDATION No 1/72 OF THE COUNCIL OF ASSOCIATION

laying down the methods of administrative co-operation
in the field of customs
for the implementation of the EEC - Malta
Association Agreement

THE COUNCIL OF ASSOCIATION,

HAVING REGARD to the Agreement establishing an Association between the European Economic Community and Malta, signed at Valletta on 5 December 1970, and in particular Title I thereof,

HAVING REGARD to the Protocol on the definition of the concept of "originating" products and on the methods of administrative co-operation, and in particular Article 16 (2) thereof,

WHEREAS the smooth functioning of the Agreement requires organization of close administrative co-operation between the Contracting Parties to the Agreement in order to ensure correct and uniform implementation of the customs provisions contained therein, and more particularly those of the Protocol on the definition of the concept of "originating" products and on the methods of administrative co-operation,

RECOMMENDS THE EUROPEAN ECONOMIC COMMUNITY AND MALTA .

to take, within their respective spheres of competence, the requisite measures for the implementation of the following provisions:

A. Issue of movement certificates A.M. 1

I. Role of the exporter

1. It shall be for the exporter or his representative authorized to sign the export declaration, to request on the exporter's responsibility, the endorsement of a movement certificate A.M. 1.

This request shall be made out on a form A.M. 1 which must be completed in accordance with the provisions of Title II of the Protocol on the definition of the concept of "originating" products and on the methods of administrative co-operation, hereinafter referred to as "the Protocol", and with the rules set out on the back of the first sheet of the form.

2. The exporter or his representative shall attach to his request any document proving that the goods to be exported are such as to qualify them for the endorsement of a movement certificate A.M. 1.

II. Role of the Customs authorities

1. It shall be the responsibility of the Customs authorities of the exporting country to ensure that the form A.M. 1 is duly completed. In particular, they shall check whether the space reserved for the description of the goods has been completed in such manner as to exclude all possibility of fraudulent additions. To this end the description of the goods must be

indicated without leaving any blank lines. Where the space is not completely filled, a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

2. Since the movement certificate A.M. 1 constitutes the documentary evidence for the application of the preferential tariff and quota system laid down in the Agreement, it shall be the responsibility of the Customs office of the exporting country carefully to verify the origin of the goods and to check the other statements on the certificate.

III. Exports from a Member State of the European Economic Community

1. The movement certificate A.M. 1 shall be endorsed by the Customs authorities of a Member State of the European Economic Community if the goods being exported can be considered products originating in the Community within the meaning of the Protocol.
2. For the purpose of verifying whether the condition stated in paragraph 1 has been met, the Customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.
3. The Customs authorities of the Member State shall refuse to endorse a movement certificate A.M. 1 if it appears from the export documents submitted that the goods to which the certificate relates are not consigned to Malta.

IV. Exports from Malta

1. The movement certificate A.M. 1 shall be endorsed by the Customs authorities of Malta if the goods being exported can be considered products originating in Malta within the meaning of the Protocol.
2. For the purpose of verifying whether the condition stated in paragraph 1 has been met, the Customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.
3. The Customs authorities of Malta shall refuse to endorse a movement certificate A.M. 1 if it appears from the export documents submitted that the goods to which the certificate relates are not consigned to the Community.

V. Indication of the type of export document used

In that part of the movement certificate A.M. 1 reserved for the Customs authorities, a reference must be made to the date and type or to the serial number of the export document of which the exporter's declaration is a certified true copy.

VI. Customs office stamp

The Customs office stamp used to stamp the certificates shall be preferably steel. The Member States and Malta shall provide each other, through the Commission of the European Communities, with specimen impressions of the types of stamp used in the Customs offices.

VII. Replacement of movement certificates A.M. 1 by certificates of the same type

1. It shall always be possible to replace one or more movement certificates A.M. 1 by one or more other movement certificates A.M. 1, provided that this is done at the Customs office where the goods are held.
2. Where the new movement certificate A.M. 1 relates to products which were originally imported from a Member State or Malta and which are being re-exported in the same state, the new certificates issued in the re-exporting Member State or Malta must indicate the country in which the original certificate was issued.

VIII. Retroactive issue of movement certificates

1. Where, as a result of errors or involuntary omissions, no request for a movement certificate A.M. 1 was made at the time the goods were exported, a certificate may be issued after the actual exportation of the goods to which it relates. In this case, the exporter must
 - (i) make a request in writing, giving details of the type, quantity, method of packing and markings of the goods and also the place and date of dispatch

- (ii) certify that no movement certificate was issued at the time of exportation of the goods in question, and state the reasons therefor;
 - (iii) enclose a form A.M. 1 duly completed and signed.
2. The Customs authorities may issue a movement certificate A.M. 1 retroactively only after verifying that the information supplied in the exporter's request agrees with that in the corresponding file.

Certificates issued retroactively must be endorsed in red ink with one of the following phrases:

- "NACHTRÄGLICH AUSGESTELLT", "DELIVRE A POSTERIORI", "RILASCIATO A POSTERIORI", "AFGEGEVEN A POSTERIORI", "ISSUED RETROACTIVELY".

3. The Customs authorities may issue a movement certificate A.M. 1 retroactively only under the condition that the goods in question were consigned to the territory of one of the Contracting Parties at the time the goods were exported.

IX. Issue of duplicates

In the event of the theft, loss or destruction of a movement certificate A.M. 1, the exporter may apply to the Customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession. The duplicate issued in this way must be endorsed in red ink with one of the following words "DUPLIKAT", "DUPLICATA", "DUPLICATO", "DUPLICAAT", "DUPLICATE".

The duplicate, which must mention the date of the original certificate A.M. 1, shall take effect as from that date.

B. Conditions governing the use of the movement certificate A.M. 1

I. Direct transport of goods

Goods transported without passing through territories other than those of the Contracting Parties shall be considered as goods transported direct.

However, the following shall not be considered as interrupting direct transport

- (a) calls at ports situated in territories other than those of the Contracting Parties;
- (b) transshipments in such ports, where these result from force majeure or where they are consequent upon conditions at sea;
- (c) passage through territories other than those of the Contracting Parties, or transshipment in such territories, where the passage through such territories or the transshipment is covered by a single transport document drawn up in a Member State or Malta.

II. Acceptance of movement certificates after expiry of the time-limit for their submission

Movement certificates A.M. 1 submitted to the Customs authorities of the importing country after expiry of the time-limit for their submission stipulated in Article 9 of the Protocol may be accepted for the purpose of applying the preferential system provided the failure to observe this time-limit results from force majeure or exceptional circumstances.

In addition to such cases, the Customs authorities of the importing country may accept such certificates provided the goods have been submitted to them before the expiry of the said time-limit.

III. Acceptance of movement certificates with statements not corresponding to the goods imported

The discovery of slight discrepancies between the statements made in the movement certificate A.M. 1 and those made in the documents submitted to the Customs office for the purpose of carrying out the formalities for importing the goods shall not ipso facto render the certificate null and void, if it is duly established that the certificate does correspond to the goods submitted.

C. Free zones

The Member States and Malta shall take all necessary steps to ensure that goods traded within the Association under the cover of movement certificate A.M. 1 and which in the course of transport use a free zone situated in their territory are not replaced by other goods and that they do not undergo handling other than the normal operations designed to keep them in good condition.

D. Postal consignments (including parcels)

I. Form A.M. 2 shall be used solely for postal consignments (including parcels) of a value of up to 1,000 units of account per consignment.

II. It shall be for the exporter or his representative, on the exporter's responsibility, to complete and sign the two parts of form A.M. 2.

If the goods contained in the consignment have already been checked in the exporting country in the light of the definition given for the concept of "originating" products, the exporter may refer to this check in the space reserved for "Observations" in form A.M. 2 (part 1).

III. On the green label Model C 1 or declaration C 2 or C 2 M, or the Customs declaration CP 3 or CP 3 M, the exporter shall enter the form number "A.M. 2", followed by its serial number. He shall also mark the form number and serial number on the invoice for the goods contained in the consignment.

E. Small packages and personal luggage

The production of a movement certificate A.M. 1 and the completion of a form A.M. 2 shall be waived for goods sent as small packages to private persons and forming part of passenger's personal luggage, provided such imports fulfil the conditions laid down in Article 15 of the Protocol.

F. Retroactive checks on movement certificates A.M. 1 and on forms A.M. 2

- I. Retroactive checks on movement certificates A.M. 1 and on forms A.M. 2 shall be carried out at random, and also whenever the Customs authorities of the importing country have reasonable doubt as to the authenticity of the document or the accuracy of the information regarding the true origin of the goods in question or of certain parts thereof.
- II. For the purpose of implementing the provisions of Paragraph I above, the Customs authorities of the importing country shall return the movement certificate A.M. 1 or part 1 of form A.M. 2 to the Customs authorities of the exporting country, giving the formal or substantive reasons for an inquiry. To part 1 of form A.M. 2 they shall attach the invoice if it has been submitted, or a copy thereof, and they shall forward any information that has been obtained suggesting that the particulars given on the said certificate or the said form are inaccurate.
- If the Customs authorities of the importing country decide to suspend execution of the provisions of the Agreement while awaiting the results of the check, they shall offer to release the goods to the importer subject to any conservatory measures deemed necessary.
- III. The Customs authorities of the importing country shall be informed of the results of the check as soon as possible. These results must be such as to make it possible to determine whether the disputed movement certificate A.M. 1 or form A.M. 2 applies to the goods actually exported, and whether these goods can, in fact, qualify for application of the preferential system.

- IV. Where such disputes cannot be settled between the Customs authorities of the importing country and those of the exporting country or where they raise a question as to the interpretation of the Protocol, they shall be submitted to the Council of Association.
- V. For the purpose of the retroactive check on certificates, the Customs authorities of the exporting country must keep all export documents, or copies of movement certificates used in place thereof, for not less than two years.

Done at Luxembourg, on 24 April 1972
By the Council of Association

The President

Gaston THORN

The Secretaries

J. MILIS

A. SANT

9. 7. 76

Official Journal of the European Communities

No L 185/5

DECISION No 1/76 OF THE COUNCIL OF ASSOCIATION**of 29 June 1976****derogating from the concept of 'originating products' for reception apparatus falling within heading No 85.15 of the Brussels Tariff Nomenclature**

THE COUNCIL OF ASSOCIATION,

Having regard to the Agreement establishing an association between the European Economic Community and Malta, signed in Valletta on 5 December 1970,

Having regard to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta, signed in Brussels on 4 March 1976, (hereinafter called the 'Protocol of 4 March 1976'), and in particular Article 25 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation (hereinafter called the 'origin Protocol'),

Whereas by the Declaration annexed to the Protocol of 4 March 1976, the Community declared that, for the purpose of applying Article 25 of the origin Protocol, it was prepared to examine any request by Malta for derogations to the origin Protocol for biscuits falling within heading No 19.08, embroidery falling within heading No 58.10 and radios falling within heading No 85.15 which are already being exported from Malta to the Community; whereas this examination has been carried out with a view to allowing the derogation to enter into force on the same date as the Protocol of 4 March 1976; whereas this examination has revealed that for biscuits falling within heading No 19.08 and embroidery falling

within heading No 58.10 no derogation is necessary at present because the products made in Malta satisfy the definition of the concept of 'originating products' laid down in the origin Protocol; whereas, however, for radios falling within heading No 85.15 it is necessary to provide for a derogation from that definition,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the particular provisions concerning the percentage of 3 % of the value of non-originating transistors laid down for heading No 85.15 of the Brussels Tariff Nomenclature in List A annexed to the origin Protocol, reception apparatus falling within this heading made in Malta shall be considered as products originating in Malta, provided that the other conditions relating to this heading are satisfied.

Article 2

This Decision shall enter into force on 1 July 1976.

It shall apply until 30 June 1977.

Done at Brussels, 29 June 1976.

*The President
of the Council of Association*

J. DONDELINGER

DECISION No 1/78 OF THE ASSOCIATION COUNCIL

defining the guidelines for co-operation
between the European Economic Community and Malta

THE ASSOCIATION COUNCIL,

Having regard to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta, hereinafter referred to as the "Protocol", and in particular Articles 18 and 21 (1) thereof, and to the Financial Protocol and in particular Article 9 (1) thereof,

Whereas Article 18 of the Protocol provides for the institution of co-operation with the aim of contributing to the development of Malta by efforts complementary to those made by Malta itself and of strengthening existing economic links on as broad a basis as possible for the mutual benefit of both parties;

Whereas, in accordance with Article 21(1) of the Protocol and Article 9(1) of the Financial Protocol, it is necessary to define the general guidelines for this co-operation and the specific objectives of financial and technical co-operation,

HAS DECIDED AS FOLLOWS:

Article 1

The following objectives shall be taken as general guidelines for the co-operation to be established between the European Economic Community and Malta for the mutual benefit of both parties bearing in mind the complementarity of their economic interests:

- the development and modernization of Maltese industry in order to help create employment, improve industrial productivity and contribute to the balance of payments equilibrium;
- the development and modernization of the agricultural and fishing sectors;
- the development of basic infrastructure and of schemes for technical assistance, vocational training and research, these being crucial for the attainment of the above objectives;

- the strengthening of co-operation between European and Maltese firms in the industrial field to facilitate the transfer of technology and inflow of capital;
- assistance towards improvement of living and working conditions and the development of the least favoured regions.

Article 2

Technical and financial co-operation will be put into effect in accordance with the following principles:

- an effort will be made to use Community aid to support the economic co-operation schemes to be implemented under Article 20 of the Protocol;
- special attention will be paid to operations which would permit the simultaneous use of different forms of aid, in particular to operations likely to attract technology, capital and other benefits resulting from the implementation of the ~~above-mentioned~~ Article 20 of the Protocol;
- Community aid measures will be designed to encourage, if possible, other suppliers of funds to give aid, in particular in the context of triangular co-operation.

Article 3

On the basis of the principles set out in Article 2 and in the light of the objectives of Malta's development plan, the aid specified in Article 2 of the Financial Protocol will be used in accordance with the provisions of that Protocol to finance or part-finance projects and schemes which correspond to the economic priorities set out in the Annex hereto.

Done at Brussels, 18 July 1978
For the Association Council
The President

M. LAHNSTEIN

The Secretaries

G.L. GIOLA

A.J.B. SOLER

ANNEXI. TECHNICAL ASSISTANCE AND TRAINING

Technical assistance for the preparation of a development strategy and to ensure the effectiveness of the process of selecting, preparing, executing and administering projects.

Technical assistance for the development of export markets that are as diversified as possible (surveys, trade relations, trade networks).

II. DEVELOPMENT OF PRODUCTIONIndustry

Establishment of infrastructure necessary for industrial development (industrial estates or projects for the production of certain primary products).

Development of industries which create stable employment, in particular those requiring a highly skilled workforce.

Development of industries which can use the production or repair equipment left on military bases.

Projects which make use of Malta's geographical position and existing infrastructure (service and supply bases).

Agriculture

Development and modernization of agriculture and fisheries.

III. TOURISM

Improvement of the potential for tourism and diversification of reception capacity, in particular tourism infrastructure projects.

IV. SCIENTIFIC CO-OPERATION

Co-operation activities in the scientific, technological and environmental protection fields.

DECISION No 1/82 OF THE EEC-MALTA COUNCIL OF ASSOCIATION
of 7 January 1982

replacing the unit of account by the ECU in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation to the Agreement establishing an association between the European Economic Community and Malta

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an association between the European Economic Community and Malta, and in particular Title I thereof,

Having regard to the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter called the 'Protocol', annexed to the Additional Protocol to the Association Agreement, and in particular Article 25 thereof,

Whereas the unit of account is not appropriate to the current international monetary situation; whereas it is therefore necessary to adopt a new common value basis for determining when EUR. 2 forms may be used instead of EUR. 1 movement certificates and when no documentary evidence of origin is required;

Whereas the European Communities introduced the ECU as from 1 January 1981;

Whereas it is convenient to use the ECU to serve as a common value basis;

Whereas for administrative and commercial reasons the common value basis must remain fixed for periods of at least two years, and whereas the ECU to be used must in consequence be exceptionally fixed at a base date to be updated every two years,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol shall be amended as follows:

1. in the second subparagraph of Article 6 (1) the amount '1 000 units of account' shall be replaced by '1 620 ECU';
2. in Article 6 (1), the third subparagraph shall be replaced by the following:

'Up to and including 30 April 1983 the ECU to be used in any given national currency shall be the equivalent in that national currency of the ECU as at 1 October 1980. For each successive period of two years thereafter it shall be the equivalent in that national currency of the ECU as at the first working day in October in the year immediately preceding that two year period.

Amounts in the national currency of the exporting State equivalent to the amounts expressed in this Article and in Article 17 in ECU shall be fixed by the exporting State and communicated to the other parties to the Agreement.

When these amounts are more than the corresponding amounts fixed by the importing State, the importing State shall accept them if the goods are invoiced in the currency of the exporting State.

If the goods are invoiced in the currency of another Member State of the Community the importing State shall recognize the amount notified by the State concerned.'

3. in Article 17 (2) the amounts '60 units of account' and '200 units of account' shall be replaced by '105 ECU' and '325 ECU' respectively.

Article 2

This Decision shall enter into force on 1 February 1982.

Done at Brussels, 7 January 1982.

For the Association Council

The President

P. FARRUGIA

II. Provisions within the EEC

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Regulation (EEC) N° 365/74 of the Council of 4 February 1974 opening, allocating and providing for the administration of a Community tariff quota for outer garments and other articles, knitted or crocheted, not elastic or rubberized falling within heading N° 60.05 of the Common Customs Tariff, originating in Malta	46 - 48
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(OJ N° L 48, 20.2.1974)

REGULATION (EEC) No 363/74 OF THE COUNCIL

of 4 February 1974

opening, allocating and providing for the administration of a Community tariff quota for cotton yarn falling within heading No 55.05 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1) together with Article 2 of Annex I for the opening by the Community of an annual Community tariff quota of 750 metric tons of cotton yarn not put up for retail sale falling within heading No 55.05 of the Common Customs Tariff, originating in Malta; whereas, pursuant to Article 1 of the said Annex the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than that enjoyed by countries eligible for the Generalized System of Preferences, the abovementioned volume should be increased by 50% and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume laid down in the

Agreement should be confined to the original Member States and the additional volume of 375 metric tons resulting from the increase should be allocated to all Member States;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the past three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community, from Malta of the products concerned:

	1970		1971		1972	
Germany	30.2	22.4	41.5	34.5	57.3	51.4
Benelux	41.5	31.0	42.0	34.8	28.7	25.7
France	—	3.0	2.1	1.7	5.4	4.8
Italy	28.3	21.1	14.4	12.0	8.6	7.8
Denmark		—		—		0.1
Ireland		3.0		5.3		3.2
United Kingdom		19.5		11.7		7.0

Whereas both these percentages and the estimates from certain Member States should be taken into account for the purposes of allocating the two abovementioned quota amounts; whereas initial quota shares may consequently be fixed approximately as follows:

Benelux	26.0
Denmark	0.1
France	5.0
Germany	45.0
Ireland	1.3
Italy	17.6
United Kingdom	5.0

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 70% of the quota amount;

Whereas the initial quota shares of the Member States may be used up, at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional quota share from the reserve; whereas, this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota's remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned

Economic Union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 31 December 1974, a tariff quota of 1 125 metric tons shall be opened in the Community for cotton yarn not put up for retail sale, falling within heading No 55.05 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota the Community Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first tranche, amounting to 795 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1974 shall consist of the following amounts;

Germany	360 metric tons
Benelux	204 metric tons
France	40 metric tons
Italy	140 metric tons
Denmark	1 metric ton
Ireland	10 metric tons
United Kingdom	40 metric tons

2. The second tranche of 330 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1) or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in para-

graph 1, proceed without delay to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1974.

Article 5

If, by 15 September 1974, a Member State has not used up its initial share, it shall, not later than 10 October 1974, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1974, notify the Commission of the total imports of the product concerned effected up to 15 September 1974 inclusive, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it received the notifications.

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

Done at Brussels, 4 February 1974.

The Commission shall, not later than 15 October 1974, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

The tariff quota laid down in this Regulation shall be opened for 1974.

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

For the Council
The President
W. SCHEEL

(OJ N° L 48, 20.2.1974)

REGULATION (EEC) No 364/74 OF THE COUNCIL

of 4 February 1974

opening, allocating and providing for the administration of a Community tariff quota for man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning falling within heading No 56.04 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1) together with Article 2 of Annex I for the opening by the Community of an annual Community tariff quota of 600 metric tons of man-made fibres (discontinuous or waste), carded, combed, or otherwise prepared for spinning falling within heading No 56.04 of the Common Customs Tariff, originating in Malta; whereas, pursuant to Article 1 of the said Annex the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than that enjoyed by countries eligible for the Generalized System of Preferences, the abovementioned volume should be increased by 50% and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume

laid down in the Agreement should be confined to the original Member States and the additional volume of 300 metric tons resulting from the increase should be allocated to all Member States;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the past three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

	1970		1971		1972	
Benelux	1.0	0.5	7.7	1.7	—	—
France	7.2	3.7	—	—	—	—
Germany	—	—	—	—	—	—
Italy	91.8	46.8	92.3	20.3	100	66.8
Denmark		—		—		—
Ireland		14.5		10.4		15.5
United Kingdom		34.5		67.6		17.7

Whereas, both these percentages and the estimates from certain Member States as well as the practical need to ensure that the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas, initial quota shares may consequently be fixed approximately as follows:

Benelux	11.7
Denmark	3.3
France	13.3
Germany	10.0
Ireland	5.0
Italy	48.3
United Kingdom	8.4

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 67% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota's remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 31 December 1974, a Community tariff quota of 900 metric tons shall be opened in the Community for man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning falling within heading No 56.04 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota the Community Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first tranche, of 600 metric tons of the Community tariff quota referred to in Article 1 shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1974 shall consist of the following amounts:

Benelux	70 metric tons
Denmark	20 metric tons
France	80 metric tons
Germany	60 metric tons
Ireland	30 metric tons
Italy	290 metric tons
United Kingdom	50 metric tons

2. The second tranche of 300 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1974.

Article 5

If, by 15 September 1974, a Member State has not used up its initial share, it shall, not later than 10 October 1974, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1974, notify the Commission of the total imports of the product in question effected up to and including 15 September 1974 and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to

which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1974, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

The tariff quota laid down in this Regulation shall be opened for 1974.

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

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

Done at Brussels, 4 February 1974.

For the Council

The President

W. SCHEEL

(OJ N° L 48, 20.2.1974)

REGULATION (EEC) No 365/74 OF THE COUNCIL

of 4 February 1974

opening, allocating and providing for the administration of a Community tariff quota for outer garments and other articles, knitted or crocheted, not elastic or rubberized falling within heading No 60.05 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1) together with Article 2 of Annex I for the opening by the Community of an annual Community tariff quota of 100 metric tons of outer garments and other articles, knitted or crocheted, not elastic or rubberized falling within heading No 60.05 of the Common Customs Tariff, originating in Malta; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than that enjoyed by countries eligible for the Generalized System of Preferences, the abovementioned volume should be increased by 50% and the duties totally suspended; whereas, as regards the allocation of this tariff quota,

the quota volume laid down in the Agreement should be confined to the original Member States and the additional volume of 50 metric tons resulting from the increase should be allocated to all Member States;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the past three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

	1970		1971		1972	
Benelux	—	—	—	—	—	—
France	87.5	7.1	75.0	6.6	91.6	17.1
Germany	12.5	1.0	12.5	1.1	4.2	0.8
Italy	—	—	12.5	1.1	4.2	0.8
Denmark		—		—		—
Ireland		—		1.1		—
United Kingdom		91.9		90.1		81.3

Whereas both these percentages and the estimates from certain Member States as well as the practical need to ensure that the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas, initial quota shares may consequently be fixed approximately as follows:

Benelux	10.0
Denmark	3.3
France	43.3
Germany	15.0
Ireland	3.3
Italy	13.3
United Kingdom	11.8

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 80% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota's remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxem-

bourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 31 December 1974, a Community tariff quota of 150 metric tons shall be opened in the Community for outer garments and other articles, knitted or crocheted, not elastic or rubberized falling within heading No 60.05 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota the Community Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first tranche, amounting to 120 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1974 shall consist of the following amounts:

Benelux	12 metric tons
Denmark	4 metric tons
France	52 metric tons
Germany	18 metric tons
Ireland	4 metric tons
Italy	16 metric tons
United Kingdom	14 metric tons

2. The second tranche, of 30 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2, or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1974.

Article 5

If, by 15 September 1974, a Member State has not used up its initial share, it shall, not later than 10 October 1974, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1974, notify the Commission of the total imports of the product concerned effected up to 15 September 1974 inclusive and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles

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

Done at Brussels, 4 February 1974.

2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1974 notify Member States of the amount in the reserve, after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

The tariff quota laid down in this Regulation shall be opened for 1974.

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

For the Council
The President
W. SCHEEL

(OJ N° L 48, 20.2.1974)

REGULATION (EEC) No 366/74 OF THE COUNCIL

of 4 February 1974

opening, allocating and providing for the administration of a Community tariff quota for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1) together with Article 2 of Annex I for the opening by the Community of an annual Community tariff quota of 300 metric tons of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Malta; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than that enjoyed by countries eligible for the Generalized System of Preferences, the abovementioned volume should be increased by 50% and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume laid down in the Agree-

ment should be confined to the original Member States and the additional volume of 150 metric tons resulting from the increase should be allocated to all Member States;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota may be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the past three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

	1970		1971		1972	
Germany	56.8	25.6	42.7	24.8	55.5	43.4
Benelux	23.7	10.7	44.6	26.0	27.3	21.4
France	6.6	2.9	7.1	4.2	11.7	9.2
Italy	12.9	5.8	5.6	3.2	5.5	4.2
Denmark		6.9		11.7		7.6
Ireland		0.4		0.3		0.2
United Kingdom		47.7		29.8		14.0

Whereas both these percentages and the estimates from certain Member States should be taken into account for the purposes of allocating the two above-mentioned quota amounts; whereas, initial quota shares may consequently be fixed approximately as follows:

Benelux	22.0
Denmark	3.1
Germany	48.3
France	9.3
Ireland	0.4
Italy	6.6
United Kingdom	10.0

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 65% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the

administration of shares granted to the abovementioned Economic Union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 31 December 1974, a Community tariff quota of 450 metric tons shall be opened in the Community for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff.

2. Within the limits of this tariff quota the Community Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first tranche amounting to 290 metric tons of the Community tariff quota referred to in Article 1 shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1974 shall consist of the following amounts:

Benelux	64 metric tons
Denmark	9 metric tons
France	27 metric tons
Germany	141 metric tons
Ireland	1 metric ton
Italy	19 metric tons
United Kingdom	29 metric tons

2. The second tranche of 160 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2, or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member

State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1974.

Article 5

If, by 15 September 1974, a Member State has not used up its initial share, it shall, not later than 10 October 1974, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1974, notify the Commission of the total imports of the product concerned effected up to 15 September 1974 inclusive, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

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

Done at Brussels, 4 February 1974.

The Commission shall, not later than 15 October 1974, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

The tariff quota laid down in this Regulation shall be opened for 1974.

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

For the Council
The President
W. SCHEEL

(OJ N° L 67, 9.3.1974)

REGULATION (EEC) No 555/74 OF THE COUNCIL
of 4 March 1974
totally suspending the customs duties on certain industrial products originating
in Malta

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, by virtue of the Agreement⁽¹⁾ establishing an Association between the European Economic Community and Malta, the Community applies the Common Customs Tariff duties, reduced by 70 %, to products covered by this Agreement; whereas it seems advisable provisionally to increase this tariff advantage by means of the total suspension of the customs duties applicable to such products; whereas, however, this measure cannot affect the products subject to the tariff quotas provided for in the abovementioned Agreement;

Whereas, in order to avoid the danger of disrupting traditional patterns of trade by imports of such products, provision should be made to enable the Commission to reintroduce at any time, by means of a Regulation, the levying of conventional duties in respect of Malta,

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 31 December 1974, the Common Customs Tariff duties and the customs tariff duties of the new Member States shall be totally suspended in respect of products falling within Chapters 25 *et seq* of the Common Customs Tariff covered by the Agreement establishing an Association between the European Economic Community and Malta, pursuant to Article

1 of Annex I thereto, with the exception of products falling within heading Nos 55.05, 56.04, 60.05 and 61.01.

Ireland, however, shall be authorized to apply to such products duties equal to those which it applies to Member States other than the United Kingdom.

2. The suspension referred to in paragraph 1 shall apply solely to products originating in Malta. The rules of origin shall be those in force at the time as regards the implementation of the above Agreement.

The rule whereby the condition requiring sufficient processing is waived in respect of products originating in the Community as originally constituted shall not, however, apply in the case of the abovementioned products when they undergo in Malta only insufficient working or processing as defined in items 1 to 6 of list A, annexed to the Protocol to the aforesaid Agreement.

Article 2

In order to avoid disrupting traditional trade patterns by imports of products benefiting from the duty suspension provided for in Article 1, the Commission may, by means of a Regulation, reintroduce the levying of customs duties at any time up to the end of the calendar year, at the level applicable in pursuance of Article 1 of Annex I to the aforesaid Agreement.

Article 3

The suspension of customs duties laid down in this Regulation shall be introduced for 1974.

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

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

Done at Brussels, 4 March 1974.

For the Council
The President
 W. SCHEEL

(OJ N° L 67, 9.3.1974)

REGULATION (EEC) No 556/74 OF THE COUNCIL

of 4 March 1974

totally or partially suspending Common Customs Tariff duties on certain products, falling within Chapters 1 to 24 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to Council Regulation (EEC) No 1059/69⁽¹⁾ of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products, as last amended by Regulation (EEC) No 1491/73⁽²⁾ and in particular Article 12 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas, under Annex I to the Agreement⁽³⁾ establishing an Association between the European Economic Community and Malta, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in Annex A to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 1059/69 or the customs duty applicable to the other products for the period until 31 December 1974 and at the levels indicated for each of them;

Whereas, for certain products of Chapters 1 to 24 of the Common Customs Tariff, this scheme would, however, involve the application in the new Member States in 1974 of customs duties higher than or very close to those applied by the new Member States to non-member countries in general on the basis of the Act of Accession; whereas, in order to maintain an equivalent preferential margin for these products also, reduced customs duties should be applied to them in accordance with the detailed rules based on the principle of maintaining in the new Member States a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Annex A to this Regulation; whereas, with a view to granting Malta the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in Annex A should also be

applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them,

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 31 December 1974, the products originating in Malta listed in Annex A shall be admitted for import into the Community as originally constituted at the customs duties indicated for each of them.

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the abovementioned products the customs duties determined by multiplying, by a coefficient equal to the margin of preferences existing between the duties given in Annex A and the Common Customs Tariff duties applicable, the duties obtained by reducing the difference between the lowest duty applied on 1 January 1972 to the developing countries and the Common Customs Tariff, by 20 % in respect of the products mentioned in Annex B, and by 40 % in respect of the other products given in Annex A.

However, the duties given in Annex A shall be applied where the duties resulting from the abovementioned calculation are higher than them.

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

The rule whereby the condition requiring sufficient processing is waived in respect of products originating in the Community as originally constituted shall not, however, apply in the case of the abovementioned products when they undergo in Malta only insufficient working or processing as defined in items 1 to 6 of list A annexed to the Protocol to the aforesaid Agreement.

Article 2

When products benefiting from the arrangements provided for in Article 1 are imported in the Community in such quantities or at such prices that Commu-

(1) cf. AGRI/EEC V 2268

(2) cf. GEN I 7

nity producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual or potential serious disadvantage in a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide, by means of a Regulation, to reintroduce the levying of customs duties for a limited period.

2. In the event of such action being requested by a Member State, the Commission shall take a decision within a period of not more than 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

The suspension of customs duties laid down in this Regulation shall be introduced for 1974.

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

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

Done at Brussels, 4 March 1974.

For the Council

The President

W. SCHEEL

ANNEX A

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03, or 01.04 fresh, chilled or frozen :	
	A. Meat :	
	III. Of swine :	
	b) Other	Free
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material :	
	B. Other	Free
15.10	Fatty acids ; acid oils from refining ; fatty alcohols :	
	C. Other fatty acids ; acid oils from refining	Free
16.02	Other prepared or preserved meat or meat offal :	
	A. Liver :	
	I. Goose or duck liver	14 %
	B. Other :	
	II. Game or rabbit meat or offal :	
	— Game	12 %
	— Rabbit	14 %
	III. Other :	
	b) Other :	
	ex 1. Containing bovine meat or offal :	
	— Prepared or preserved bovine tongue	18 %
	2. Other :	
	aa) Ovine meat or offal	18 %
	bb) Other	18 %
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid :	
	E. Sauerkraut	16 %
	ex F. Capers	16 %
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit :	
	A. Of a specific gravity exceeding 1.33 at 15°C :	
	III. Other :	
	ex a) Of a value exceeding 30 u.a. per 100 kg net weight :	
	— Fruits falling within heading No 08.01, excluding pineapples	25 %

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>b) Of a value not exceeding 30 u.a. per 100 kg net weight :</p> <p>ex 1. With an added sugar content exceeding 30 % by weight :</p> <p>— Fruits falling within heading No 08.01, excluding pine-apples</p> <p>ex 2. Other :</p> <p>— Fruits falling within heading No 08.01, excluding pine-apples</p> <p>B. Of a specific gravity of 1.33 or less at 15°C :</p> <p>II. Other :</p> <p>a) Of a value exceeding 30 u.a. per 100 kg net weight :</p> <p>2. Grapefruit juice</p> <p>ex 3. Other citrus fruit juices :</p> <p>aa) Containing added sugar</p> <p>bb) Other</p> <p>ex 6. Other fruit and vegetable juices, excluding apricot and peach juices :</p> <p>aa) Containing added sugar</p> <p>bb) Other</p> <p>7. Mixtures :</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice :</p> <p>11. Containing added sugar</p> <p>22. Other</p> <p>b) Of a value of 30 u.a. or less per 100 kg net weight :</p> <p>2. Grapefruit juice :</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) Other</p> <p>4. Other citrus fruit juices :</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) With an added sugar content of 30 % or less by weight</p> <p>cc) Not containing added sugar</p> <p>7. Other fruit and vegetable juices :</p> <p>ex aa) With an added sugar content exceeding 30 % by weight, excluding apricots and peaches</p> <p>ex bb) With an added sugar content of 30 % or less by weight, excluding apricots and peaches</p> <p>ex cc) Not containing added sugar, excluding apricots and peaches</p>	<p>25 % + (L)</p> <p>25 %</p> <p>12 %</p> <p>14 %</p> <p>15 %</p> <p>17 %</p> <p>18 %</p> <p>17 %</p> <p>18 %</p> <p>12 % + (L)</p> <p>12 %</p> <p>14 % + (L)</p> <p>14 %</p> <p>15 %</p> <p>17 % + (L)</p> <p>17 %</p> <p>18 %</p>

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	8. Mixtures : ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, pear, tomato, apricot or peach juice : 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar	 17 % + (L) 17 % 18 %
21.06	Natural yeasts (active or inactive) ; prepared baking powders : A. Active natural yeast : II. Bakers' yeast : a) Dried b) Other	 7 % + vc 7 % + vc
23.01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption ; greaves : B. Flours and meals of fish, crustaceans or molluscs	 Free

ANNEX B

List of the products in respect of which the difference between the lowest duties applied on 1 January 1972 to developing countries by Denmark, Ireland and the United Kingdom and the duties of the Common Customs Tariff must be reduced by 20%, in accordance with Article 1

CCT heading No	Description
16.02 (a)	<p>Other prepared or preserved meat or meat offal :</p> <p>B. Other :</p> <p>III. Other :</p> <p>b) Other :</p> <p>ex 1. Containing bovine meat or offal :</p> <p>— prepared or preserved bovine tongue</p>
20.02	<p>Vegetables prepared or preserved otherwise than by vinegar or acetic acid :</p> <p>E. Sauerkraut</p>
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit :</p> <p>A. Of a specific gravity exceeding 1.33 at 15° C :</p> <p>III. Other :</p> <p>ex a) Of a value exceeding 30 u.a. per 100 kg net weight :</p> <p>— Fruits falling within heading No 08.01, excluding pineapple</p> <p>b) Of a value not exceeding 30 u.a. per 100 kg net weight :</p> <p>ex 1. With an added sugar content exceeding 30% by weight ;</p> <p>— Fruits falling within heading No 08.01, excluding pineapples</p> <p>ex 2. Others :</p> <p>— Fruits falling within heading No 08.01, excluding pineapples</p> <p>B. Of a specific gravity of 1.33 or less at 15°C :</p> <p>II. Other :</p> <p>a) Of a value exceeding 30 u.a. per 100 kg net weight :</p> <p>2. Grapefruit juice</p> <p>ex 3. Other citrus fruit juices :</p> <p>aa) Containing added sugar</p> <p>bb) Other</p> <p>ex 6. Other fruit and vegetable juices, excluding apricot and peach juices :</p> <p>aa) Containing added sugar</p> <p>bb) Other</p>

(a) From 1 April 1974, this heading will be deleted from this Annex.

CCT heading No	Description
20.07 (cont'd)	<p>7. Mixtures :</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice :</p> <p>11. Containing added sugar</p> <p>22. Other</p> <p>b) Of a value of 30 u.a. or less per 100 kg net weight :</p> <p>2. Grapefruit juice :</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) Other</p> <p>4. Other citrus fruit juices :</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) With an added sugar content of 30 % or less by weight</p> <p>cc) Not containing added sugar</p> <p>7. Other fruit and vegetable juices :</p> <p>ex aa) With an added sugar content exceeding 30 % by weight, excluding apricots and peaches</p> <p>ex bb) With an added sugar content of 30 % or less by weight, excluding apricots and peaches</p> <p>ex cc) Not containing added sugar, excluding apricots and peaches</p> <p>8. Mixtures :</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, pear, tomato, apricot or peach juice :</p> <p>11. With an added sugar content exceeding 30 % by weight</p> <p>22. With an added sugar content of 30 % or less by weight</p> <p>33. Not containing added sugar</p>

(OJ N° L 315, 26.11.1974)

REGULATION (EEC) No 2917/74 OF THE COUNCIL

of 18 November 1974

opening, allocation and providing for the administration of a Community tariff quota for cotton yarn falling within heading No 55.05 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1), together with Article 2 of Annex I, for the opening by the Community of an annual Community tariff quota of 750 metric tons, of cotton yarn not put up for retail sale falling within heading No 55.05 of the Common Customs Tariff, originating in Malta; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 30 % of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than that enjoyed by countries eligible for the generalized system of preferences, the abovementioned volume should be increased by 50% and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume laid down in the Agreement should be con-

fixed to the original Member States and the additional volume of 375 metric tons resulting from the increase should be allocated to all Member States;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community, from Malta, of the products concerned:

	1971		1972		1973	
Germany	41.5	34.5	57.3	51.4	45.5	39.8
Benelux	42.0	34.8	28.7	25.7	34.8	30.4
France	2.1	1.7	5.4	4.8	8.0	7.0
Italy	14.4	12.0	8.6	7.8	11.7	10.2
Denmark		—		0.1		0.0
Ireland		5.3		3.2		0.1
United Kingdom		11.7		7.0		12.5

Whereas, in view of these factors of the foreseeable development during 1975 of the market for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may consequently be fixed approximately as follows:

Benelux	21.0
Denmark	0.1
France	5.6
Germany	52.0
Ireland	1.0
Italy	9.0
United Kingdom	11.3

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be approximately 70% of the quota amount;

Whereas the initial quota shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional quota share from the reserve; whereas this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the

administration of shares granted to the abovementioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1975 a tariff quota of 1 125 metric tons shall be opened in the Community for cotton yarn not put up for retail sale, falling within heading No 55.05 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota the Community Common Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first tranche, amounting to 805 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1975 shall consist of the following amounts:

Germany	410 metric tons
Benelux	185 metric tons
France	50 metric tons
Italy	80 metric tons
Denmark	1 metric ton
Ireland	9 metric tons
United Kingdom	70 metric tons

2. The second tranche of 320 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member

State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed without delay to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1975.

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the product concerned effected up to 15 September 1975 inclusive, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent

to which the reserve has been used as soon as it received the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 18 November 1974.

For the Council

The President

Ch. BONNET

(OJ N° L 315, 26.11.1974)

REGULATION (EEC) No 2918/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota for man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning falling within heading No 56.04 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1), together with Article 2 of Annex I, for the opening by the Community of an annual Community tariff quota of 600 metric tons of man-made fibres (discontinuous or waste), carded, combed, or otherwise prepared for spinning falling within heading No 56.04 of the Common Customs Tariff, originating in Malta; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 30 % of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than generalized system of preferences, the above-mentioned volume should be increased by 50% and the duties totally suspended; whereas, as regards and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume

laid down in the Agreement should be confined to the original Member States and the additional volume of 300 metric tons resulting from the increase should be allocated to all Member States;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

	1971		1972		1973	
Germany	—	—	—	—	—	—
Benelux	7.7	1.7	—	—	—	—
France	—	—	—	—	—	—
Italy	92.3	20.3	100	66.8	—	—
Denmark		—		—	—	—
Ireland		10.4		15.5	—	—
United Kingdom		67.6		17.7	—	—

Whereas, both these percentages and the estimates from certain Member States as well as the practical need to ensure that the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas, initial quota shares may consequently be fixed approximately as follows:

Benelux	10.0
Denmark	3.3
France	13.3
Germany	10.0
Ireland	5.0
Italy	41.8
United Kingdom	16.6

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be approximately 65% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the

Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1975, a Community tariff quota of 900 metric tons shall be opened in the Community for man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning falling within heading No 56.04 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota the Community Common Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first tranche of 575 metric tons of the Community tariff quota referred to in Article 1 shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1975 shall consist of the following amounts:

Benelux	60 metric tons
Denmark	20 metric tons
France	80 metric tons
Germany	60 metric tons
Ireland	30 metric tons
Italy	250 metric tons
United Kingdom	75 metric tons

2. The second tranche of 325 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1975.

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the product in question effected up to and including 15 September 1975 and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with

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

Done at Brussels, 18 November 1974.

Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1975.

For the Council
The President
Ch. BONNET

(OJ N° L 315, 26.11.1974)

REGULATION (EEC) No 2919/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota for outer garments and other articles, knitted or crocheted, not elastic or rubberized, falling within heading No 60.05 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1), together with Article 2 of Annex I, for the opening by the Community of an annual Community tariff quota of 100 metric tons of outer garments and other articles, knitted or crocheted, not elastic or rubberized, falling within heading No 60.05 of the Common Customs Tariff, originating in Malta; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than that enjoyed by countries eligible for the generalized system of preferences, the abovementioned volume should be increased by 50% and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume laid down in the Agreement should

be confined to the original Member States and the additional volume of 50 metric tons resulting from the increase should be allocated to all Member States;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

	1971		1972		1973	
Germany	12.5	1.1	4.3	0.8	—	—
Benelux	—	—	—	—	—	—
France	75.0	6.6	93.6	17.1	94.6	52.0
Italy	12.5	1.1	2.1	0.4	5.4	2.9
Denmark		—		—		0.5
Ireland		1.1		0.1		2.9
United Kingdom		90.1		81.6		41.0

Whereas both these percentages and the estimates from certain Member States as well as the practical need to ensure that the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas initial quota shares may consequently be fixed approximately as follows:

Benelux	8.3
Denmark	4.2
France	41.2
Germany	12.5
Ireland	4.2
Italy	12.5
United Kingdom	16.6

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 80% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the

Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1975, a Community tariff quota of 150 metric tons shall be opened in the Community for outer garments and other articles, knitted or crocheted, not elastic or rubberized, falling within heading No 60.05 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota the Community Common Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first tranche of 120 metric tons of the Community tariff quota referred to in Article 1 shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1975 shall consist of the following amounts:

Benelux	10 metric tons
Denmark	5 metric tons
France	50 metric tons
Germany	15 metric tons
Ireland	5 metric tons
Italy	15 metric tons
United Kingdom	20 metric tons

2. The second tranche of 30 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2, or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1975.

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the product concerned effected up to 15 September 1975 inclusive and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with

Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 18 November 1974.

For the Council

The President

Ch. BONNET

(OJ N° L 315, 26.11.1974)

REGULATION (EEC) No 2920/74 OF THE COUNCIL

of 18 November 1974

opening, allocating and providing for the administration of a Community tariff quota for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1), together with Article 2 of Annex I, for the opening by the Community of an annual Community tariff quota of 300 metric tons of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Malta; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than that enjoyed by countries eligible for the generalized system of preferences, the abovementioned volume should be increased by 50% and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume laid down in the Agreement should be confined to the original Member States and the additional volume of 150 metric tons resulting from

the increase should be allocated to all Member States;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota may be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

	1971		1972		1973	
Germany	42.7	24.8	55.5	43.4	31.0	19.4
Benelux	44.6	26.0	27.3	21.4	35.1	22.0
France	7.1	4.2	11.7	9.2	11.9	7.4
Italy	5.6	3.2	5.5	4.2	22.0	13.7
Denmark		11.7		7.6		29.0
Ireland		0.3		0.2		0.2
United Kingdom		29.8		14.0		8.3

Whereas in view of these factors of the foreseeable development during 1975 of the market for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may consequently be fixed approximately as follows:

Benelux	12.8
Denmark	13.9
Germany	47.6
France	9.5
Ireland	0.3
Italy	3.2
United Kingdom	12.7

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be determined at a level which, under present circumstances, may be 65% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the

administration of shares granted to the above mentioned Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1975, a Community tariff quota of 450 metric tons shall be opened in the Community for men's and boys' outer garments from Malta falling within heading No 61.01 of the Common Customs Tariff.
2. Within the limits of this tariff quota the Community Common Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first tranche amounting to 315 metric tons of the Community tariff quota referred to in Article 1 shall be shared among the Member States; the proportions which, subject to Article 5, shall be valid until 31 December 1975 shall consist of the following amounts:

Benelux	40 metric tons
Denmark	55 metric tons
France	30 metric tons
Germany	150 metric tons
Ireland	1 metric ton
Italy	10 metric tons
United Kingdom	29 metric tons

2. The second tranche of 135 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.
2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member State may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1975.

Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10 October 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the product concerned effected up to 15 September 1975 inclusive and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

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

Done at Brussels, 18 November 1974.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1975.

For the Council

The President

Ch. BONNET

(OJ N° L 315, 26.11.1974)

REGULATION (EEC) No 2921/74 OF THE COUNCIL

of 18 November 1974

totally suspending the customs duties on certain industrial products originating in Malta

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, by virtue of the Agreement ⁽¹⁾ establishing an association between the European Economic Community and Malta, the Community applies the Common Customs Tariff duties, reduced by 70%, to products covered by this Agreement; whereas it seems advisable provisionally to increase this tariff advantage by means of the total suspension of the customs duties applicable to such products; whereas, however, this measure cannot affect the products subject to the tariff quotas provided for in the abovementioned Agreement;

Whereas, in order to avoid the danger of disrupting traditional patterns of trade by imports of such products, provision should be made to enable the Commission to reintroduce at any time, by means of a Regulation, the levying of conventional duties in respect of Malta,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1975, the Common Customs Tariff duties and the customs tariff duties of the new Member States shall be totally suspended in respect of products falling within

Chapters 25 *et seq.* of the Common Customs Tariff covered by the Agreement establishing an association between the European Economic Community and Malta, pursuant to Article 1 of Annex I thereto, with the exception of products falling within heading Nos 55.05, 56.04, 60.05 and 61.01.

Ireland, however, shall be authorized to apply to such products duties equal to those which it applies to Member States other than the United Kingdom.

2. The suspension referred to in paragraph 1 shall apply solely to products originating in Malta. The rules of origin shall be those in force at the time as regards the implementation of the above Agreement.

The rule whereby the condition requiring sufficient processing is waived in respect of products originating in the Community as originally constituted shall not, however, apply in the case of the abovementioned products when they undergo in Malta only insufficient working or processing as defined in items 1 to 6 of list A, annexed to the Protocol to the aforesaid Agreement.

Article 2

In order to avoid disrupting traditional trade patterns by imports of products benefiting from the duty suspension provided for in Article 1, the Commission may, by means of a Regulation, reintroduce the levying of customs duties at any time up to the end of the calendar year at the level applicable in pursuance of Article 1 of Annex I to the aforesaid Agreement.

Article 3

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 18 November 1974.

For the Council

The President

Ch. BONNET

(1) cf. GEN I 1

REGULATION (EEC) No 3296/74 OF THE COUNCIL

of 19 December 1974

totally or partially suspending Common Customs Tariff duties on certain products, falling within Chapters 1 to 24 of the Common Customs Tariff, originating in Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to Council Regulation (EEC) No 1059/69 ⁽¹⁾ of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products, as last amended by Regulation (EEC) No 1491/73, and in particular Article 12 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas, under Annex I to the Agreement ⁽²⁾ establishing an Association between the European Economic Community and Malta, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in Annex A to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 1059/69 or the customs duty applicable to the other products from 1 January to 31 December 1975 and at the levels indicated for each of them;

Whereas, for certain products of Chapters 1 to 24 of the Common Customs Tariff, this scheme would, however, involve the application in the new Member States in 1975 of customs duties higher than or very close to those applied by the new Member States to non-member countries in general on the basis of the Act of Accession; whereas, in order to maintain an equivalent preferential margin for these products also, reduced customs duties should be applied to them in accordance with the detailed rules based on

the principle of maintaining in the new Member States a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Annex A to this Regulation; whereas, with a view to granting Malta the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in Annex A should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1975, the products originating in Malta listed in Annex A shall be admitted for import into the Community as originally constituted at the customs duties indicated for each of them.

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the abovementioned products the customs duties determined by multiplying, by a coefficient equal to the margin of preferences existing between the duties given in Annex A and the Common Customs Tariff duties applicable, the duties obtained by reducing the difference between the lowest duty applied on 1 January 1972 to the developing countries and the Common Customs Tariff, by 40% in respect of the products mentioned in Annex B, and by 60% in respect of the other products given in Annex A.

However, the duties given in Annex A shall be applied where the duties resulting from the abovementioned calculation are higher than them.

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

(1) cf. AGRI/EEC V 2208

(2) cf. GEN I 1

The rule whereby the condition requiring sufficient processing is waived in respect of products originating in the Community as originally constituted shall not, however, apply in the case of the above-mentioned products when they undergo in Malta only insufficient working or processing as defined in items 1 to 6 of list A annexed to the Protocol to the aforesaid Agreement.

Article 2

When products benefiting from the arrangements provided for in Article 1 are imported in the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual or potential serious disadvantage in a single region of the Community.

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

Done at Brussels, 19 December 1974.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide, by means of a Regulation, to reintroduce the levying of customs duties for a limited period.

2. In the event of such action being requested by a Member State, the Commission shall take a decision within a period of not more than 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1975.

For the Council

The President

J. P. FOURCADE

ANNEX A

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03, or 01.04 fresh, chilled or frozen: A. Meat: III. Of swine: b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen: ex B. Furred game, frozen	Free
04.06	Natural honey	26%
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material: B. Other	Free
15.10	Fatty acids, acid oils from refining; fatty alcohols: C. Other fatty acids; acid oils from refining	Free
16.02	Other prepared or preserved meat or meat offal: A. Liver: I. Goose or duck liver	14%
	B. Other: II. Game or rabbit meat or offal: — Game	10%
	— Rabbit	14%
	III. Other: b) Other: ex 1. Containing bovine meat or offal: — Prepared or preserved bovine tongue ..	18%
	2. Other: aa) Ovine meat or offal	18%
	bb) Other	18%
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: E. Sauerkraut	16%
	ex F. Capers	12%

CCT heading No	Description	Rate of duty
1	2	3
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>A. Of a specific gravity exceeding 1.33 at 15° C:</p> <p>III. Other:</p> <p>ex a) Of a value exceeding 30 u.a. per 100 kg net weight:</p> <p>— Fruits falling within heading No 08.01, excluding pineapples 21%</p> <p>b) Of a value not exceeding 30 u.a. per 100 kg net weight:</p> <p>ex 1. With an added sugar content exceeding 30% by weight:</p> <p>— Fruits falling within heading No 08.01, excluding pineapples 21% + (L)</p> <p>ex 2. Other:</p> <p>— Fruits falling within heading No 08.01, excluding pineapples 21%</p> <p>B. Of a specific gravity of 1.33 or less at 15° C:</p> <p>II. Other:</p> <p>a) Of a value exceeding 30 u.a. per 100 kg net weight:</p> <p>2. Grapefruit juice 10.5%</p> <p>ex 3. Other citrus fruit juices:</p> <p>aa) Containing added sugar 14%</p> <p>bb) Other 15%</p> <p>ex 6. Other fruit and vegetable juices, excluding apricot and peach juices:</p> <p>aa) Containing added sugar 17%</p> <p>bb) Other 18%</p> <p>7. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing separately or together, over 25% of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p> <p>11. Containing added sugar 17%</p> <p>22. Other 18%</p> <p>b) Of a value of 30 u.a. or less per 100 kg net weight:</p> <p>2. Grapefruit juice:</p> <p>aa) With an added sugar content exceeding 30% by weight 10% + (L)</p> <p>bb) Other 10%</p> <p>4. Other citrus fruit juices:</p> <p>aa) With an added sugar content exceeding 30% by weight 14% + (L)</p> <p>bb) With an added sugar content of 30% or less by weight 14%</p> <p>cc) Not containing added sugar 15%</p>	

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	7. Other fruit and vegetable juices: ex aa) With an added sugar content exceeding 30% by weight, excluding apricots and peaches ex bb) With an added sugar content of 30% or less by weight, excluding apricots and peaches ex cc) Not containing added sugar, excluding apricots and peaches 8. Mixtures: ex bb) Other, excluding mixtures containing either separately or together, over 25% of grape, citrus fruit, pineapple, pear, tomato, apricot or peach juice: 11. With an added sugar content exceeding 30% by weight 22. With an added sugar content of 30% or less by weight 33. Not containing added sugar	17% + (L) 17% 18% 17% + (L) 17% 18%
21.06	Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeast: II. Bakers' yeast: a) Dried b) Other	6% + vc 6% + vc
23 01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves: B. Flours and meals of fish, crustaceans or molluscs	Free

ANNEX B

List of the products in respect of which the difference between the lowest duties applied on 1 January 1972 to developing countries by Denmark, Ireland and the United Kingdom and the duties of the Common Customs Tariff must be reduced by 40 %, in accordance with Article 1

CCT heading No	Description
16.02 (a)	Other prepared or preserved meat or meat offal: B. Other: III. Other: b) Other: ex 1. Containing bovine meat or offal: — Prepared or preserved bovine tongue
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: E. Sauerkraut
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: A. Of a specific gravity exceeding 1.33 at 15° C: III. Other: ex a) Of a value exceeding 30 u.a. per 100 kg net weight: — Fruits falling within heading No 08.01, excluding pineapple b) Of a value not exceeding 30 u.a. per 100 kg net weight: ex 1. With an added sugar content exceeding 30% by weight: — Fruits falling within heading No 08.01, excluding pineapples ex 2. Others: — Fruits falling within heading No 08.01, excluding pineapples B. Of a specific gravity of 1.33 or less at 15° C: II. Other: a) Of a value exceeding 30 u.a. per 100 kg net weight: 2. Grapefruit juice ex 3. Other citrus fruit juices: aa) Containing added sugar bb) Other ex 6. Other fruit and vegetable juices, excluding apricot and peach juices: aa) Containing added sugar bb) Other

(a) From 1 April 1973 this heading will be deleted from this Annex.

CCT heading No	Description
20.07 (cont'd)	<p>7. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25% of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p> <p>11. Containing added sugar</p> <p>22. Other</p> <p>b) Of a value of 30 u.a. or less per 100 kg net weight:</p> <p>2. Grapefruit juice:</p> <p>aa) With an added sugar content exceeding 30% by weight</p> <p>bb) Other</p> <p>4. Other citrus fruit juices:</p> <p>aa) With an added sugar content exceeding 30% by weight</p> <p>bb) With an added sugar content of 30% or less by weight</p> <p>cc) Not containing added sugar</p> <p>7. Other fruit and vegetable juices:</p> <p>ex aa) With an added sugar content exceeding 30% by weight, excluding apricots and peaches</p> <p>ex bb) With an added sugar content of 30% or less by weight, excluding apricots and peaches</p> <p>ex cc) Not containing added sugar, excluding apricots and peaches</p> <p>8. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25% of grape, citrus fruit, pineapple, pear, tomato, apricot or peach juice:</p> <p>11. With an added sugar content exceeding 30% by weight</p> <p>22. With an added sugar content of 30% or less by weight</p> <p>33. Not containing added sugar</p>

REGULATION (EEC) No 1045/75 OF THE COUNCIL

of 21 April 1975

increasing the size of the Community tariff quotas opened for 1975 for certain textile products originating in Malta by Regulations (EEC) No 2917/74, (EEC) No 2918/74, (EEC) No 2919/74 and (EEC) No 2920/74

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, by its Regulations (EEC) No 2917/74, (EEC) No 2918/74, (EEC) No 2919/74 and (EEC) No 2920/74, the Council opened Community tariff quotas for 1975 for the products falling respectively within heading Nos 55.05, 56.04, 60.05 and 61.01 of the Common Customs Tariff, originating in Malta;

Whereas the tariff advantages for the products in question should be adjusted by increasing by 5 % the size of each of the aforementioned quotas and whereas the additional quantities resulting from this increase should be allocated to the reserves of these quotas,

HAS ADOPTED THIS REGULATION :

Article 1

1. The quota provided for in Article 1 of Regulation

- (EEC) No 2917/74 shall be increased from 1 125 metric tons to 1 181 metric tons,
- (EEC) No 2918/74 shall be increased from 900 metric tons to 945 metric tons,
- (EEC) No 2919/74 shall be increased from 150 metric tons to 158 metric tons,
- (EEC) No 2920/74 shall be increased from 450 metric tons to 473 metric tons.

2. The reserve provided for in Article 2 (2) of Regulation

- (EEC) No 2917/74 shall be increased from 320 metric tons to 376 metric tons,
- (EEC) No 2918/74 shall be increased from 325 metric tons to 370 metric tons,
- (EEC) No 2919/74 shall be increased from 30 metric tons to 38 metric tons,
- (EEC) No 2920/74 shall be increased from 135 metric tons to 158 metric tons.

Article 2

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

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

Done at Luxembourg, 21 April 1975.

For the Council

The President

R. RYAN

REGULATION (EEC) No 3149/75 OF THE COUNCIL

of 24 November 1975

totally suspending the customs duties on certain industrial products originating in Malta (1976)

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, by virtue of the Agreement ⁽¹⁾ establishing an association between the European Economic Community and Malta, the Community applies the Common Customs Tariff duties, reduced by 70%, to products covered by this Agreement; whereas it seems advisable provisionally to increase this tariff advantage by means of the total suspension of the customs duties applicable to such products; whereas, however, this measure cannot affect the products subject to the tariff quotas provided for in the abovementioned Agreement;

Whereas, in order to avoid the danger of disrupting traditional patterns of trade by imports of such products, provision should be made to enable the Commission to re-introduce at any time, by means of a Regulation, the levying of conventional duties in respect of Malta,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1976 the Common Customs Tariff duties and the customs tariff duties of the new Member States shall be totally suspended in respect of products falling within Chapters 25 *et seq.* of the Common Customs Tariff, covered by the Agreement establishing an association between the European Economic Community and Malta, pursuant to Article 1 of Annex I thereto, with

the exception of products falling within heading Nos 55.05, 56.04, 60.05 and 61.01.

Ireland, however, shall be authorized to apply to such products duties equal to those which it applies to Member States other than the United Kingdom.

2. The suspension referred to in paragraph 1 shall apply solely to products originating in Malta. The rules of origin shall be those in force at the time as regards the implementation of the above Agreement.

However, the last sentence of Article 1 (2) (b) of the Protocol relating to the definition of the concept of originating products and to methods of administrative cooperation shall not apply in the case of products obtained in Malta from:

- products originating in one or more Member States of the Community as originally constituted and exported to one or more new Member States, or
- products originating in one or more new Member States and exported to one or more Member States of the Community as originally constituted,

where the products referred to in the two indents above have undergone only the insufficient working or processing listed in points 1 to 6 of List A annexed to the above Protocol.

Article 2

In order to avoid disrupting traditional trade patterns by imports of products benefiting from the duty suspension provided for in Article 1, the Commission may, by means of a Regulation, re-introduce the levying of customs duties at any time up to the end of the calendar year, at the level applicable in pursuance of Article 1 of Annex I to the aforesaid Agreement.

Article 3

This Regulation shall enter into force on 1 January 1976.

(1) cf. GEN I 1

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

Done at Brussels, 24 November 1975.

For the Council
The President
B. VISENTINI

REGULATION (EEC) No 3150/75 OF THE COUNCIL

of 24 November 1975

opening, allocating and providing for the administration of a Community tariff quota for cotton yarn, falling within heading No 55.05 of the Common Customs Tariff, originating in Malta (1976)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1) together with Article 2 of Annex I for the opening by the Community of annual Community tariff quota of 750 metric tons of cotton yarn not put up for retail sale, falling within heading No 55.05 of the Common Customs Tariff, originating in Malta; whereas the first stage of the Agreement ends on 31 March 1976 and, pursuant to Article 6 of Annex I, the *pro rata temporis* clause would apply to the volume of the quota; whereas the Community intends to maintain its trading relations with Malta; whereas the provisions governing the second stage should not be less favourable than those laid down for the first; whereas in order not to disrupt trading patterns for the products in question, the Community tariff quota should be opened for the whole of 1976; whereas, pursuant to Article 1 of the said Annex the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta a treatment not less favourable than that enjoyed by countries

eligible for the generalized preferences system, the abovementioned volume should be increased to 1 181 metric tons and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume laid down in the Agreement should be confined to the original Member States and the new Member States shall participate in the supplementary volume;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community, from Malta, of the products concerned:

	1972		1973		1974	
Germany	57.3	51.4	45.5	39.8	30.1	24.3
Benelux	28.7	25.7	34.8	30.4	39.7	32.0
France	5.4	4.8	8.0	7.0	23.7	19.1
Italy	8.6	7.8	11.7	10.2	6.5	5.2
Denmark		0.1		0.0		0.1
Ireland		3.2		0.1		0.6
United Kingdom		7.0		12.5		18.7

Whereas in view of these factors of the foreseeable development during 1976 of the market for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may consequently be fixed approximately as follows:

Benelux	23.0
Denmark	0.1
France	6.2
Germany	51.0
Ireland	1.1
Italy	9.9
United Kingdom	8.7

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two instalments, the first instalment being allocated among the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first instalment of the Community quota should be determined at a level which, under present circumstances, may be approximately 70% of the quota amount;

Whereas the initial quota shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional quota share from the reserve; whereas, this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States, and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux

Economic Union, any measure concerning the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1976 a tariff quota of 1 181 metric tons shall be opened in the Community for cotton yarn not put up for retail sale, falling within heading No 55.05 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota, the Common Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first instalment, amounting to 805 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1976, shall consist of the following amounts:

Benelux	185 metric tons,
Denmark	1 metric ton,
France	50 metric tons,
Germany	410 metric tons,
Ireland	9 metric tons,
Italy	80 metric tons,
United Kingdom	70 metric tons.

2. The second instalment of 376 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1) or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member

State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed without delay to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, a Member State may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1976.

Article 5

The Member States shall return to the reserve, not later than 1 October 1976, the unused portion of their initial share which, on 15 September 1976, is in excess of 20% of their initial amount. They may return a greater portion if there are grounds for believing that such quantity may not be used in full.

The Member States shall, not later than 1 October 1976, notify the Commission of the total imports of the product concerned effected up to and including 15 September 1976, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

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

Done at Brussels, 24 November 1975.

The Commission shall, not later than 5 October 1976, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1976.

For the Council
The President
B. VISENTINI

8. 12. 75

Official Journal of the European Communities

No L 317/45

REGULATION (EEC) No 3151/75 OF THE COUNCIL

of 24 November 1975

opening, allocating and providing for the administration of a Community tariff quota for man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Malta (1976)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1) together with Article 2 of Annex I for the opening by the Community of an annual Community tariff quota of 600 metric tons of man-made fibres (discontinuous or waste), carded, combed, or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Malta; whereas the first stage of the Agreement ends on 31 March 1976 and, pursuant to Article 6 of Annex I, the *pro rata temporis* clause would apply to the volume of the quota; whereas the Community intends to maintain its trading relations with Malta; whereas the provisions governing the second stage should not be less favourable than those laid down for the first; whereas in order not to disrupt trading patterns for the products in question, the Community tariff quota should be opened for the whole of 1976; whereas, pursuant to Article 1 of the said Annex the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta treatment not

less favourable than that enjoyed by countries eligible for the generalized preferences system, the abovementioned volume should be increased to 945 metric tons and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume laid down in the Agreement should be confined to the original Member States and the new Member States should participate in the supplementary volume;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

	1972		1973		1974	
Germany	—	—	—	—	—	—
Benelux	—	—	—	—	—	—
France	—	—	—	—	—	—
Italy	100	66.8	—	—	—	—
Denmark		—		—		100
Ireland		15.5		—		—
United Kingdom		17.7		—		—

Whereas, both these percentages and the estimates from certain Member States as well as the practical need to ensure that the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas, initial quota shares may consequently be fixed approximately as follows:

Benelux	10.4
Denmark	3.5
France	13.9
Germany	10.4
Ireland	5.2
Italy	43.6
United Kingdom	13.0

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two instalments, the first instalment being allocated among the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first instalment of the Community quota should be determined at a level which, under present circumstances, may be approximately 60% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1976 a Community tariff quota of 945 metric tons shall be opened in the Community for man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota, the Common Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first instalment, amounting to 575 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1976, shall consist of the following amounts:

Benelux	60 metric tons,
Denmark	20 metric tons,
France	80 metric tons,
Germany	60 metric tons,
Ireland	30 metric tons,
Italy	250 metric tons,
United Kingdom	75 metric tons.

2. The second instalment of 370 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that

share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, a Member State may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1976.

Article 5

The Member States shall return to the reserve, not later than 1 October 1976, the unused portion of their initial share which, on 15 September 1976, is in excess of 20% of their initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1976, notify the Commission of the total imports of the product in question effected up to and including 15 September 1976, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 5 October 1976, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1976.

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

Done at Brussels, 24 November 1975.

For the Council

The President

B. VISENTINI

REGULATION (EEC) No 3152/75 OF THE COUNCIL

of 24 November 1975

opening, allocating and providing for the administration of a Community tariff quota for outer garments and other articles, knitted or crocheted, not elastic or rubberized, falling within heading No 60.05 of the Common Customs Tariff, originating in Malta (1976)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1) together with Article 2 of Annex I for the opening by the Community of an annual Community tariff quota of 100 metric tons of outer garments and other articles, knitted or crocheted, not elastic or rubberized, falling within heading No 60.05 of the Common Customs Tariff, originating in Malta; whereas the first stage of the Agreement ends on 31 March 1976 and, pursuant to Article 6 of Annex I, the *pro rata temporis* clause would apply to the volume of the quota; whereas the Community intends to maintain its trading relations with Malta; whereas the provisions governing the second stage should not be less favourable than those laid down for the first; whereas in order not to disrupt trading patterns for the products in question, the Community tariff quota should be opened for the whole of 1976; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta

treatment not less favourable than that enjoyed by countries eligible for the generalized preferences system, the abovementioned volume should be increased to 158 metric tons and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume laid down in the Agreement should be confined to the original Member States and the new Member States should participate in the supplementary volume;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

	1972		1973		1974	
Germany	4.3	0.8	—	—	4.0	1.8
Benelux	—	—	—	—	7.0	3.3
France	93.6	17.1	94.6	52.0	50.0	22.8
Italy	2.1	0.4	5.4	2.9	39.0	17.8
Denmark	—	—	—	0.6	—	1.8
Ireland	—	0.1	—	2.9	—	—
United Kingdom	—	81.6	—	41.0	—	52.5

Whereas both these percentages and the estimates from certain Member States as well as the practical need to ensure that the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas, initial quota shares may consequently be fixed approximately as follows:

Benelux	8.3
Denmark	4.2
France	41.7
Germany	12.5
Ireland	4.2
Italy	12.5
United Kingdom	16.6

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two instalments, the first instalment being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first instalment of the Community quota should be determined at a level which, under present circumstances, may be 75% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy

of Luxembourg are united in and represented by the Benelux Economic Union, any measure concerning the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1976 a Community tariff quota of 158 metric tons shall be opened in the Community for outer garments and other articles, knitted or crocheted, not elastic or rubberized, falling within heading No 60.05 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota the Common Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first instalment, amounting to 120 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1976, shall consist of the following amounts:

Benelux	10 metric tons,
Denmark	5 metric tons,
France	50 metric tons,
Germany	15 metric tons,
Ireland	5 metric tons,
Italy	15 metric tons,
United Kingdom	20 metric tons.

2. The second instalment of 38 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, a Member State may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1976.

Article 5

The Member States shall return to the reserve, not later than 1 October 1976, the unused portion of their initial share which, on 15 September 1976, is in excess of 20% of their initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1976, notify the Commission of the total imports of the product concerned effected up to and including 15 September 1976, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of

the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 5 October 1976, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1976.

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

Done at Brussels, 24 November 1975.

For the Council
The President
B. VISENTINI

REGULATION (EEC) No 3153/75 OF THE COUNCIL

of 24 November 1975

opening, allocating and providing for the administration of a Community tariff quota for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Malta (1976)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and Malta, signed at Valetta on 5 December 1970, provides in Article 3 (1) together with Article 2 of Annex I for the opening by the Community of an annual Community tariff quota of 300 metric tons of men's and boys' outer garments, falling within heading No 61.01 of the Common Customs Tariff, originating in Malta; whereas the first stage of the Agreement ends on 31 March 1976 and, pursuant to Article 6 of Annex I, the *pro rata temporis* clause would apply to the volume of the quota; whereas the Community intends to maintain its trading relations with Malta; whereas the provisions governing the second stage should not be less favourable than those laid down for the first; whereas in order not to disrupt trading patterns for the products in question, the Community tariff quota should be opened for the whole of 1976; whereas, pursuant to Article 1 of the said Annex, the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas, with a view to granting Malta treatment not less favourable than that enjoyed by

countries eligible for the generalized preferences system, the abovementioned volume should be increased to 473 metric tons and the duties totally suspended; whereas, as regards the allocation of this tariff quota, the quota volume laid down in the Agreement should be confined to the original Member States and the new Member States should participate in the supplementary volume;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota may be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

	1972		1973		1974	
Germany	55.5	43.4	31.0	19.4	16.2	7.7
Benelux	27.3	21.4	35.1	22.0	45.5	21.6
France	11.7	9.2	11.9	7.4	22.9	10.9
Italy	5.5	4.2	22.0	13.7	15.4	7.4
Denmark		7.6		29.0		31.9
Ireland		0.2		0.2		0.4
United Kingdom		14.0		8.3		20.1

Whereas in view of these factors, of the foreseeable development during 1976 of the market for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may consequently be fixed approximately, as follows:

Benelux	12.7
Denmark	17.5
France	9.5
Germany	47.6
Ireland	0.3
Italy	3.2
United Kingdom	9.2

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two instalments, the first instalment being allocated among the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first instalment of the Community quota should be determined at a level which, under present circumstances, may be 67% of the quota amount;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any measure concerning

the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1976 a Community tariff quota of 473 metric tons shall be opened in the Community for men's and boys' outer garments from Malta, falling within heading No 61.01 of the Common Customs Tariff.

2. Within the limits of this tariff quota the Common Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

Article 2

1. A first instalment, amounting to 315 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until 31 December 1976, shall consist of the following amounts:

Benelux	40 metric tons,
Denmark	55 metric tons,
France	30 metric tons,
Germany	150 metric tons,
Ireland	1 metric ton,
Italy	10 metric tons,
United Kingdom	29 metric tons.

2. The second instalment of 158 metric tons shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (1), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in

paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, a Member State may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1976.

Article 5

The Member States shall return to the reserve, not later than 1 October 1976, the unused portion of their initial share which, on 15 September 1976, is in excess of 20% of their initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1976, notify the Commission of the total imports of the product concerned effected up to and including 15 September 1976, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of

the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 5 October 1976, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1976.

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

Done at Brussels, 24 November 1975.

For the Council
The President
B. VISENTINI

REGULATION (EEC) No 3203/75 OF THE COUNCIL

of 3 December 1975

totally or partially suspending Common Customs Tariff duties on certain products, falling within Chapters 1 to 24 of the Common Customs Tariff, originating in Malta
(1976)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to Council Regulation (EEC) No 1059/69⁽¹⁾ of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products, as last amended by Regulation (EEC) No 1491/73⁽²⁾, and in particular Article 12 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas, under Annex I to the Agreement⁽³⁾ establishing an Association between the European Economic Community and Malta, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in Annex A to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 1059/69 or the customs duty applicable to the other products from 1 January to 31 December 1976 and at the levels indicated for each of them;

Whereas, for certain products of Chapters 1 to 24 of the Common Customs Tariff, this scheme would, however, involve the application in the new Member States in 1976 of customs duties higher than or very close to those applied by the new Member States to non-member countries in general on the basis of the Act of Accession; whereas, in order to maintain an

equivalent preferential margin for these products also, reduced customs duties should be applied to them in accordance with the detailed rules based on the principle of maintaining in the new Member States a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Annex A to this Regulation; whereas, with a view to granting Malta the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in Annex A should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1976, the products originating in Malta listed in Annex A shall be admitted for import into the Community as originally constituted at the customs duties indicated for each of them.

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the abovementioned products the customs duties determined by multiplying, by a coefficient equal to the margin of preferences existing between the duties given in Annex A and the Common Customs Tariff duties applicable, the duties obtained by reducing the difference between the lowest duty applied on 1 January 1972 to the developing countries and the Common Customs Tariff, by 60 % in respect of the products mentioned in Annex B, and by 80 % in respect of the other products given in Annex A.

However, the duties given in Annex A shall be applied where the duties resulting from the abovementioned calculation are higher than them.

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 151, 7. 6. 1973, p. 1.

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

However, Article 1(2)(b), last sentence, of the Protocol relating to the definition of the concept of 'originating' products and to methods of administrative cooperation, shall not apply in the case of products obtained in Malta from :

- products originating in one or more Member States of the Community as originally constituted and exported to one or more new Member States, or
- products originating in one or more new Member States and exported to one or more Member States of the Community as originally constituted,

provided that the products referred to in the two indents above have undergone only the insufficient working or processing listed in items 1 to 6 of List A annexed to the abovementioned Protocol.

Article 2

When products benefiting from the arrangements provided for in Article 1 are imported in the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer, or are likely to suffer

from serious disadvantage, the Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual or potential serious disadvantage in a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide, by means of a Regulation, to reintroduce the levying of customs duties for a limited period.

2. In the event of such action being requested by a Member State, the Commission shall take a decision within a period of not more than 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1976.

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

Done at Brussels, 3 December 1975.

For the Council

The President

F. FABRI

CCT heading No	Description	Rate of duty
1	2	3
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid : E. Sauerkraut ex F. Capers	16 % 12 %
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit : A. Of a specific gravity exceeding 1.33 at 15° C : III. Other : ex a) Of a value exceeding 30 u.a per 100 kg net weight : — Fruit falling within heading No 08.01, ex- cluding pineapples — Fruit falling within heading No 08.09, ex- cluding melons and water-melons b) Of a value not exceeding 30 u.a. per 100 kg net weight : ex 1. With an added sugar content excee- ding 30 % by weight : — Fruit falling within heading No 08.01, excluding pineapples — Fruit falling within heading No 08.09, excluding melons and water- melons ex 2. Other : — Fruit falling within heading No 08.01, excluding pineapples — Fruit falling within heading No 08.09, excluding melons and water- melons B. Of a specific gravity of 1.33 or less at 15° C : II. Other : a) Of a value exceeding 30 u.a. per 100 kg net weight : 2. Grapefruit juice ex 3. Other citrus fruit juices : aa) Containing added sugar bb) Other ex 6. Other fruit and vegetable juices, exclu- ding apricot and peach juices : aa) Containing added sugar bb) Other 7. Mixtures : ex bb) Other, excluding mixtures con- taining separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice : 11. Containing added sugar 22. Other	19 % 19 % 19 % + (L) 19 % + (L) 19 % 19 % 9.5 % 14 % 15 % 17 % 18 % 17 % 18 %

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>b) Of a value of 30 u.a. or less per 100 kg net weight :</p> <p>2. Grapefruit juice :</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) Other</p> <p>4. Other citrus fruit juices :</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) With an added sugar content of 30 % or less by weight</p> <p>cc) Not containing added sugar</p> <p>ex 7. Other fruit and vegetable juices, excluding apricots and peaches :</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) With an added sugar content of 30 % or less by weight</p> <p>cc) Not containing added sugar</p> <p>8. Mixtures :</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice :</p> <p>11. With an added sugar content exceeding 30 % by weight</p> <p>22. With an added sugar content of 30 % or less by weight</p> <p>33. Not containing added sugar</p>	<p>9 % + (L)</p> <p>9 %</p> <p>14 % (L)</p> <p>14 %</p> <p>15 %</p> <p>17 % + (L)</p> <p>17 %</p> <p>18 %</p> <p>17 % + (L)</p> <p>17 %</p> <p>18 %</p>
21.06	<p>Natural yeasts (active or inactive) ; prepared baking powders :</p> <p>A. Active natural yeast :</p> <p>II. Bakers' yeast :</p> <p>a) Dried</p> <p>b) Other</p>	<p>5 % + vc</p> <p>5 % + vc</p>
23.01	<p>Flours and meal, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption ; greaves :</p> <p>B. Flours and meals of fish, crustaceans or molluscs</p>	<p>Free</p>

ANNEX B

List of the products in respect of which the difference between the lowest duties applied on 1 January 1972 to developing countries by Denmark, Ireland and the United Kingdom and the duties of the Common Customs Tariff must be reduced by 60%, in accordance with Article 1

CCT heading No	Description
16.02 (a)	<p>Other prepared or preserved meat or meat offal :</p> <p>B. Other :</p> <p>III. Other :</p> <p>b) Other :</p> <p>ex 1. Containing bovine meat or offal :</p> <p>— Prepared or preserved bovine tongue</p>
20.02	<p>Vegetables prepared or preserved otherwise than by vinegar or acetic acid :</p> <p>E. Sauerkraut</p>
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit :</p> <p>A. Of a specific gravity exceeding 1.33 at 15° C :</p> <p>III. Other :</p> <p>ex a) Of a value exceeding 30 u.a. per 100 kg net weight :</p> <p>— Fruit falling within heading No 08.01, excluding pineapple</p> <p>— Fruit falling within heading No 08.09, excluding melons and water-melons</p> <p>b) Of a value not exceeding 30 u.a. per 100 kg net weight :</p> <p>ex 1. With an added sugar content exceeding 30% by weight :</p> <p>— Fruit falling within heading No 08.01, excluding pineapples</p> <p>— Fruit falling within heading No 08.09, excluding melons and water-melons</p> <p>ex 2. Other :</p> <p>— Fruit falling within heading No 08.01, excluding pineapples</p> <p>— Fruit falling within heading No 08.09, excluding melons and water-melons</p> <p>B. Of a specific gravity of 1.33 or less at 15° C :</p> <p>II. Other :</p> <p>a) Of a value exceeding 30 u.a. per 100 kg net weight :</p> <p>2. Grapefruit juice</p>

(a) From 1 April 1976 this heading will be deleted from this Annex.

CCT heading No	Description
20.07 (cont'd)	<p>ex 3. Other citrus fruit juices :</p> <p>aa) Containing added sugar</p> <p>bb) Other</p> <p>ex 6. Other fruit and vegetable juices, excluding apricot and peach juices :</p> <p>aa) Containing added sugar</p> <p>bb) Other</p> <p>7. Mixtures :</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice :</p> <p>11. Containing added sugar</p> <p>22. Other</p> <p>b) Of a value of 30 u.a. or less per 100 kg net weight :</p> <p>2. Grapefruit juice :</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) Other</p> <p>4. Other citrus fruit juices :</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) With an added sugar content of 30 % or less by weight</p> <p>cc) Not containing added sugar</p> <p>ex 7. Other fruit and vegetable juices, excluding apricots and peaches :</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) With an added sugar content of 30 % or less by weight</p> <p>cc) Not containing added sugar</p> <p>8. Mixtures :</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice :</p> <p>11. With an added sugar content exceeding 30 % by weight</p> <p>22. With an added sugar content of 30 % or less by weight</p> <p>33. Not containing added sugar</p>

COUNCIL REGULATION (EEC) No 1051/76

of 4 May 1976

increasing the volume of the Community tariff quotas opened for 1976 by Regulations (EEC) No 3150/75, (EEC) No 3151/75, (EEC) No 3152/75 and (EEC) No 3153/75 in respect of certain textile products originating in Malta

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, by Regulations (EEC) No 3150/75, (EEC) No 3151/75, (EEC) No 3152/75, and (EEC) No 3153/75, the Council opened the following nil duty Community tariff quotas for 1976 for the following products:

CCT heading No	Description	Quantity (in metric tons)
55.05	Cotton yarn, not put up for retail sale	1 181
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	945
60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	158
61.01	Men's and boys' outer garments	473

Whereas an adjustment involving an increase of 5 % in each of the quantities concerned for 1976 should be made to the tariff concessions for these products; whereas the additional amount should be distributed between the shares of the Member States and the reserve,

4. The quota of 473 metric tons in Article 1 (1) of Regulation (EEC) No 3153/75 shall be increased to 496 metric tons.

Article 2

The following shall be substituted for Article 2 of Regulation (EEC) No 3150/75:

HAS ADOPTED THIS REGULATION:

Article 1

1. The quota of 1 181 metric tons in Article 1 (1) of Regulation (EEC) No 3150/75 shall be increased to 1 240 metric tons.

2. The quota of 945 metric tons in Article 1 (1) of Regulation (EEC) No 3151/75 shall be increased to 992 metric tons.

3. The quota of 158 metric tons in Article 1 (1) of Regulation (EEC) No 3152/75 shall be increased to 165 metric tons.

'Article 2

1. A first instalment, amounting to 846 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States; the shares, which, subject to Article 5, shall be valid until 31 December 1976, shall consist of the following amounts:

Benelux	194 metric tons,
Denmark	1 metric ton,
Germany	431 metric tons,
France	53 metric tons,
Ireland	9 metric tons,
Italy	84 metric tons,
United Kingdom	74 metric tons.

2. The second instalment of 394 metric tons shall constitute the reserve.'

Article 3

The following shall be substituted for Article 2 of Regulation (EEC) No 3151/75 :

'Article 2

1. A first instalment, amounting to 603 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States ; the shares, which, subject to Article 5, shall be valid until 31 December 1976, shall consist of the following amounts :

Benelux	63 metric tons,
Denmark	21 metric tons,
Germany	63 metric tons,
France	84 metric tons,
Ireland	31 metric tons,
Italy	263 metric tons,
United Kingdom	78 metric tons.

2. The second instalment of 389 metric tons shall constitute the reserve.'

Article 4

The following shall be substituted for Article 2 of Regulation (EEC) No 3152/75 :

'Article 2

1. A first instalment, amounting to 125 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States ; the shares, which, subject to Article 5, shall be valid until 31 December 1976, shall consist of the following amounts :

Benelux	10 metric tons,
Denmark	5 metric tons,

Germany	16 metric tons,
France	52 metric tons,
Ireland	5 metric tons,
Italy	16 metric tons,
United Kingdom	21 metric tons.

2. The second instalment of 40 metric tons shall constitute the reserve.'

Article 5

The following shall be substituted for Article 2 of Regulation (EEC) No 3153/75 :

'Article 2

1. A first instalment, amounting to 330 metric tons of the Community tariff quota referred to in Article 1, shall be shared among the Member States ; the shares, which, subject to Article 5, shall be valid until 31 December 1976, shall consist of the following amounts :

Benelux	42 metric tons,
Denmark	58 metric tons,
Germany	157 metric tons,
France	31 metric tons,
Ireland	1 metric ton,
Italy	11 metric tons,
United Kingdom	30 metric tons.

2. The second instalment of 166 metric tons shall constitute the reserve.'

Article 6

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

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

Done at Brussels, 4 May 1976

For the Council

The President

G. THORN

COUNCIL REGULATION (EEC) No 1641/76

of 29 June 1976

amending Regulations (EEC) No 3152/75 and (EEC) No 3153/75 opening, allocating and providing for the administration of Community tariff quotas for outer garments falling within heading Nos 60.05 and 61.01 of the Common Customs Tariff, originating in Malta (1976)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement of 5 December 1970 between the European Economic Community and Malta⁽¹⁾ provides for the opening by the Community of annual Community tariff quotas for the importation into the Community, as originally constituted, of 100 metric tons of outer garments and other articles, knitted or crocheted, not elastic or rubberized, falling within heading No 60.05, and 300 metric tons of men's and boys' outer garments, falling within heading No 61.01; whereas, at its meeting on 4 and 5 of June 1973, the Council agreed that from 1 January 1974 Malta should enjoy treatment not less favourable than that accorded to countries eligible for generalized preferences; whereas, on that basis and by Regulations (EEC) No 3152/75 and (EEC) No 3153/75, as amended by Regulation (EEC) No 1051/76, the Community opened, for 1976, tariff quotas of 165 metric tons and 496 metric tons respectively for products falling within tariff heading Nos 60.05 and 61.01 in which, following the Decision of 4 and 5 June 1975, the new Member States participate by the allocation of initial quota shares and by the possibility of using the Community reserves which were set up;

Whereas under the Protocol laying down certain provisions relating to the Agreement establishing an Association between the European Economic Community

and Malta⁽²⁾, signed on 4 March 1976, the tariff quotas in question have been increased to 190 metric tons and 730 metric tons respectively for the above-mentioned products, i.e., to levels higher than those for the current year; whereas, in addition, the Contracting Parties to the abovementioned Agreement, agreed in a Joint Declaration that, under the tariff quotas of 190 metric tons and 730 metric tons, quantities of 90 metric tons and 430 metric tons should be allocated to the new Member States;

Whereas the respective quantities allocated to the new Member States, when shares in the tariff quotas opened for 1976 were distributed, are less than 90 metric tons and 430 metric tons; whereas, therefore, the difference between the present quotas of 165 metric tons and 496 metric tons and the new quotas of 190 metric tons and 730 metric tons, should be allocated to the initial shares of the new Member States; whereas it is therefore necessary to amend Regulations (EEC) No 3152/75 and (EEC) No 3153/75,

HAS ADOPTED THIS REGULATION:

Article 1

1. The quotas provided for in Article 1 of Regulations (EEC) No 3152/75 and (EEC) No 3153/75, shall be increased respectively to 190 metric tons and 730 metric tons.

2. The initial shares provided for in Article 2 (1) of the said Regulations for Denmark, Ireland and the United Kingdom shall be amended as follows:

(1) GEN I 1
(2) GEN I 79

— Regulation (EEC) No 3152/75 :

Article 2

Denmark	9 metric tons,
Ireland	9 metric tons,
United Kingdom	38 metric tons ;

— Regulation (EEC) No 3153/75 :

Denmark	210 metric tons,
Ireland	3 metric tons,
United Kingdom	110 metric tons.

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

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

Done at Luxembourg, 29 June 1976.

For the Council

The President

G. THORN

COUNCIL REGULATION (EEC) No 1656/76

of 29 June 1976

concerning the application of Decision No 1/76 of the EEC-Malta Council of Association derogating from the concept of 'originating products' for reception apparatus falling within heading No 85.15 of the Brussels Tariff Nomenclature

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 an Agreement between the European Economic Community and Malta⁽¹⁾ was signed on 5 December 1970 and entered into force on 1 April 1971;

Whereas a Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta⁽²⁾ was signed in Brussels on 4 March 1976 and entered into force on 1 June 1976;

Whereas under Article 25 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation, annexed to the above Protocol and forming an integral part of the Agreement, the Council of Association has

adopted Decision No 1/76 derogating from the concept of 'originating products' for reception apparatus falling within heading No 85.15 of the Brussels Tariff Nomenclature;

Whereas it is necessary to apply this Decision in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

For the purpose of implementing the Agreement between the European Economic Community and Malta, Council of Association Decision No 1/76, of which the text is annexed, shall apply in the Community.

Article 2

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

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

Done at Luxembourg, 29 June 1976.

For the Council

The President

G. THORN

(1) GEN I 1
(2) GEN I 79

20. 12. 76

Official Journal of the European Communities

No L 350/49

COUNCIL REGULATION (EEC) No 3041/76

of 9 December 1976

opening, allocating and providing for the administration of a Community tariff quota for cotton yarn falling within heading No 55.05 of the Common Customs Tariff, originating in Malta (1977)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and Malta ⁽¹⁾, signed on 5 December 1970, and the Protocol laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community ⁽²⁾, provide for the opening by the Community of an annual Community tariff quota of 910 metric tons of cotton yarn, not put up for retail sale, falling within heading No 55.05 of the Common Customs Tariff, originating in Malta; whereas, pursuant to the joint declaration annexed to this Protocol, the tariff quota should be allocated among the Member States as follows: 750 metric tons for the Community as originally constituted and 160 metric tons for the new Member States; whereas the first stage of the Agreement ends on 30 June 1977 and, pursuant to Annex I to the Agreement, the *pro rata temporis* clause would apply to the volume of the quota; whereas the Community intends to maintain its trading relations with Malta; whereas the provisions governing the second stage should not be less favourable than those laid down for the first; whereas in order not to disrupt trading patterns for the products in question, the Community tariff quota should be opened for the whole of 1977; whereas, pursuant to Annex I to the said Agreement, the quota duty is equal to 30% of the Common Customs Tariff

duty in respect of the products concerned; whereas to comply with the special provisions of the said Protocol, separate arrangements should be made for Member States of the Community as originally constituted on the one hand, and for the new Member States on the other;

Whereas, since 1 January 1974, Malta has been granted treatment no less favourable than that enjoyed by countries eligible for the generalized tariff preferences; whereas to this end therefore customs duties should be totally suspended and the quota volume increased to 1 079 metric tons for 1977; whereas, however, the Community has already opened a duty-free tariff quota of 1 240 metric tons for the products in question for 1976; whereas therefore the quota volume should be held at this level and the difference between these volumes should be allocated to the two groups of Member States;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community, from Malta, of the products concerned:

(1) GEN I 1
(2) GEN I 79

	1973	1974	1975
Germany	45.5	30.1	13.7
Benelux	34.8	39.7	54.7
France	8.0	23.7	14.0
Italy	11.7	6.5	17.6
Denmark	—	0.3	—
Ireland	1.0	2.7	12.5
United Kingdom	99.0	97.0	87.5

Whereas in view of these factors of the foreseeable development during 1977 of the market for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may consequently be fixed approximately as follows:

Germany	56.5
Benelux	25.5
France	7.0
Italy	11.0
Denmark	1.0
Ireland	11.0
United Kingdom	88.0

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amounts should be divided into two instalments, the first instalments being allocated among the Member States and the second forming reserves intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security for importers in each Member State, the first instalments of the quotas should be determined at a level which, under present circumstances, may be approximately 70% of the quota amounts;

Whereas the initial quota shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional quota share from the reserve; whereas, this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States, and the Commission,

which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1977, a tariff quota of 1 240 metric tons shall be opened in the Community for cotton yarn, not put up for retail sale, falling within heading No 55.05 of the Common Customs Tariff, originating in Malta.
 2. Within the limits of this tariff quota the Common Customs Tariff duties shall be totally suspended.
- This suspension shall be fully applied in the new Member States.
3. An amount of 1 046 metric tons shall be allocated to the Member States of the Community as originally constituted.
 4. An amount of 194 metric tons shall be allocated to the new Member States.

Article 2

1. A first instalment, amounting to 730 metric tons of the amount specified in Article 1 (3), shall be allocated among the Member States of the Community as originally constituted; the shares, which subject to Article 5 are valid until 31 December 1977, shall be as follows:

Germany	413 metric tons,
Benelux	186 metric tons,
France	51 metric tons,
Italy	80 metric tons.

The second instalment of 316 metric tons shall constitute the relevant reserve.

2. A first instalment, amounting to 140 metric tons of the amount mentioned in Article 1 (4), shall be allocated among the new Member States; the shares, which subject to Article 5 are valid until 31 December 1977, shall be as follows:

Denmark	2 metric tons,
Ireland	15 metric tons,
United Kingdom	123 metric tons.

The second instalment of 54 metric tons shall constitute the relevant reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2, or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the relevant reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed without delay to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserves are exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1977.

Article 5

Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial share which, on 15 September 1977, is in excess of 20% of the initial amount. They may return a greater portion if there are grounds for believing that such quantity may not be used in full.

Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the product concerned effected up to 15 September 1977 inclusive, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserves have been used as soon as it received the notifications.

The Commission shall, not later than 5 October 1977, notify Member States of the amount in the reserves after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up any reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 9 December 1976.

For the Council

The President

P. J. J. MERTENS

COUNCIL REGULATION (EEC) No 3042/76

of 9 December 1976

opening, allocating and providing for the administration of a Community tariff quota for man-made fibres falling within heading No 56.04 of the Common Customs Tariff, originating in Malta (1977)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and Malta ⁽¹⁾, signed on 5 December 1970, and the Protocol laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community ⁽²⁾, provide for the opening by the Community of an annual Community tariff quota of 800 metric tons of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Malta; whereas, pursuant to the joint declaration annexed to this Protocol, the tariff quota should be allocated among the Member States as follows: 600 metric tons for the Community as originally constituted and 200 metric tons for the new Member States; whereas the first stage of the Agreement ends on 30 June 1977 and, pursuant to Annex I to the Agreement the *pro rata temporis* clause would apply to the volume of the quota; whereas the Community intends to maintain its trading relations with Malta; whereas the provisions governing the second stage should not be less favourable than those laid down for the first; whereas in order not to disrupt trading patterns for the products in question, the Community tariff quota should be opened for the whole of 1977; whereas, pursuant to Annex I to the said Agreement, the quota duty is equal to 30% of the Common

Customs Tariff duty in respect of the products concerned; whereas to comply with the special provisions of the said Protocol, separate arrangements should be made for Member States of the Community as originally constituted on the one hand, and for the new Member States on the other;

Whereas, since 1 January 1974, Malta has been granted treatment no less favourable than that enjoyed by countries eligible for the generalized tariff preferences; whereas to this end therefore the duty rates should be totally suspended and the quota volume increased to 940 metric tons for 1977; whereas, however, the Community has already opened a duty-free tariff quota of 992 metric tons for the products in question for 1976; whereas therefore the quota volume should be held at this level and the difference between these volumes should be allocated to the two groups of Member States;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the product concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative reference period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

(1) GEN I 1
(2) GEN I 79

	1973	1974	1975
Germany	—	—	—
Benelux	—	—	—
France	—	—	—
Italy	—	—	100 (= 1 *)
Denmark	—	100 (= 16 *)	—
Ireland	—	—	—
United Kingdom	—	—	—

(*) metric tons.

Whereas, in connection with the allocation of both the quota volumes referred to above, account must be taken of both these percentages and the estimates from certain Member States as well as the practical need to ensure that the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas, initial percentage shares in the quota volumes may consequently be fixed approximately as follows:

Germany	13
Benelux	13
France	18
Italy	56
Denmark	16
Ireland	24
United Kingdom	60

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amounts should be divided into two instalments, the first instalments being allocated among the Member States and the second forming reserves intended ultimately to cover the requirements of the Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security for importers in each Member State, the first instalments of the quotas should be determined at a level which, under present circumstances, may be approximately 60% of the quota amounts;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost

entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1977, a Community tariff quota of 992 metric tons shall be opened in the Community for man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota the Community Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

3. An amount of 771 metric tons shall be allocated to the Member State of the Community as originally constituted.

4. An amount of 221 metric tons shall be allocated to the new Member States.

Article 2

1. A first instalment, amounting to 480 metric tons of the amount specified in Article 1 (3), shall be allo-

cated among the Member States of the Community as originally constituted; the shares, which subject to Article 5 are valid until 31 December 1977, shall be as follows:

Benelux	63 metric tons,
Germany	63 metric tons,
France	86 metric tons,
Italy	268 metric tons.

The second instalment of 291 metric tons shall constitute the relevant reserve.

2. A first instalment, amounting to 133 metric tons of the amount mentioned in Article 1 (4), shall be allocated among the new Member States; the shares, which subject to Article 5 are valid until 31 December 1977, shall be as follows:

Denmark	21 metric tons,
Ireland	32 metric tons,
United Kingdom	80 metric tons.

The second tranche of 88 metric tons shall constitute the relevant reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2, or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the relevant reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way to draw a fourth share equal to the third.

This process shall be applied until the reserves are exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1977.

Article 5

Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial share which, on 15 September 1977, is in excess of 20% of the initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the product in question effected up to and including 15 September 1977 and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserves have been used as soon as it receives the notifications.

The Commission shall, not later than 5 October 1977, notify Member States of the amount in the reserves after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up any reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that, when additional shares are drawn

pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 9 December 1976.

For the Council

The President

P. J. J. MERTENS

COUNCIL REGULATION (EEC) No 3043/76

of 9 December 1976

opening, allocating and providing for the administration of a Community tariff quota for outer garments falling within heading No 60.05 of the Common Customs Tariff, originating in Malta (1977)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and Malta ⁽¹⁾, signed on 5 December 1970, and the Protocol laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community ⁽²⁾, provide for the opening by the Community of an annual Community tariff quota of 190 metric tons, of outer garments and other articles, knitted or crocheted, not elastic or rubberized, falling within heading No 60.05 of the Common Customs Tariff, originating in Malta; whereas, pursuant to the joint declaration annexed to this Protocol, the tariff quota should be allocated among the Member States as follows: 100 metric tons for the Community as originally constituted and 90 metric tons for the new Member States; whereas the first stage of the Agreement ends on 30 June 1977 and, pursuant to Annex I to the Agreement the *pro rata temporis* clause would apply to the volume of the quota; whereas the Community intends to maintain its trading relations with Malta; whereas the provisions governing the second stage should not be less favourable than those laid down for the first; whereas in order not to disrupt trading patterns for the products in question, the Community tariff quota should be opened for the whole of 1977; whereas, pursuant to Annex I to the said Agreement, the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the product concerned; whereas to comply with the special pro-

visions of the said Protocol, separate arrangements should be made for Member States of the Community as originally constituted on the one hand, and for the new Member States on the other;

Whereas, since 1 January 1974, Malta has been granted treatment no less favourable than that enjoyed by countries eligible for the generalized tariff preferences; whereas to this end therefore the duty rates should be totally suspended and the quota volume increased to 216 metric tons for the year 1977, of which 122 metric tons should be allocated to the Member States of the Community as originally constituted and 94 metric tons to the new Member States;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the product concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative period and the economic outlook for the quota period concerned;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

⁽¹⁾ GEN I 1
⁽²⁾ GEN I 79

	1973	1974	1975
Germany	—	4	34.4
Benelux	—	7	4.2
France	94.6	50	54.2
Italy	5.4	39	7.2
Denmark	1.3	3.4	0.6
Ireland	7.8	—	0.6
United Kingdom	90.9	96.6	98.8

Whereas both these percentages and the estimates from certain Member States as well as the practical need to ensure that the obligations contracted under the Agreement concerned are allocated fairly among all the Member States; whereas, initial percentage shares in the quota volume may consequently be fixed approximately as follows:

Germany	17
Benelux	11
France	55
Italy	17
Denmark	17
Ireland	17
United Kingdom	66

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amounts should be divided into two instalments, the first instalments being allocated among the Member States and the second forming reserves intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first instalments of the quotas should be determined at a level which, under present circumstances may be 75% of the quota amounts;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration

calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to prevent a part of the Community quota from remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1977, a tariff quota of 216 metric tons shall be opened in the Community for outer garments and other articles, knitted or crocheted, not elastic or rubberized falling within heading No 60.05 of the Common Customs Tariff, originating in Malta.

2. Within the limits of this tariff quota the Community Customs Tariff duties shall be totally suspended.

This suspension shall be fully applied in the new Member States.

3. An amount of 122 metric tons shall be allocated to the Member States of the Community as originally constituted.

4. An amount of 94 metric tons shall be allocated to the new Member States.

Article 2

1. A first instalment, amounting to 90 metric tons of the amount specified in Article 1 (3), shall be

allocated among the Member States of the Community as originally constituted; the shares, which subject to Article 5 are valid until 31 December 1977, shall be as follows:

Benelux	10 metric tons,
Germany	15 metric tons,
France	50 metric tons,
Italy	15 metric tons.

The second instalment of 32 metric tons shall constitute the relevant reserve.

2. A first instalment, amounting to 70 metric tons of the amount specified in Article 1 (4), shall be allocated among the new Member States; the shares, which subject to Article 5 are valid until 31 December 1977, shall be as follows:

Denmark	12 metric tons,
Ireland	12 metric tons,
United Kingdom	46 metric tons.

The second instalment of 24 metric tons shall constitute the relevant reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2, or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the relevant reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserves are exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1977.

Article 5

Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial share which, on 15 September 1977, in excess of 20% of the initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the product concerned effected up to 15 September 1977 inclusive and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserves have been used as soon as it receives the notifications.

The Commission shall, not later than 5 October 1977, notify Member States of the amount in the reserves after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up one of the reserves is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that, when additional shares are drawn

pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 9 December 1976.

For the Council

The President

P. J. J. MERTENS

COUNCIL REGULATION (EEC) No 3044/76

of 9 December 1976

opening, allocating and providing for the administration of a Community tariff quota for men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Malta (1977)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and Malta ⁽¹⁾, signed on 5 December 1970, and the Protocol laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community ⁽²⁾, provide for the opening by the Community of an annual Community tariff quota of 730 metric tons of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Malta; whereas, pursuant to the joint declaration annexed to this Protocol, the tariff quota should be allocated among the Member States as follows: 300 metric tons for the Community as originally constituted and 430 metric tons for the new Member States; whereas the first stage of the Agreement ends on 30 June 1977 and, pursuant to Annex I to the Agreement the *pro rata temporis* clause would apply to the volume of the quota; whereas the Community intends to maintain its trading relations with Malta; whereas the provisions governing the second stage should not be less favourable than those laid down for the first; whereas in order not to disrupt trading patterns for the products in question, the Community tariff quota should be opened for the whole of 1977; whereas, pursuant to Annex I to the said Agreement, the quota duty is equal to 30% of the Common Customs Tariff duty in respect of the products concerned; whereas to comply with the special provisions of the said Protocol, separate arrange-

ments should be made for Member States of the Community as originally constituted on the one hand, and for the new Member States on the other;

Whereas, since 1 January 1974, Malta has been granted treatment no less favourable than that enjoyed by countries eligible for the generalized tariff preferences; whereas to this end therefore the duty rates should be totally suspended and the quota volume increased to 815 metric tons for the year 1977, of which 364 metric tons should be allocated to the Member States of the Community as originally constituted and 451 metric tons to the new Member States;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota may be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said goods from Malta over a representative reference period and the economic outlook for the quota period concerned;

Whereas during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Malta of the products concerned:

(1) GEN I 1
(2) GEN I 79

	1973	1974	1975
Germany	31.0	16.2	42.9
Benelux	35.1	45.5	12.1
France	11.9	22.9	38.8
Italy	22.0	15.4	6.2
Denmark	77.4	60.9	45.4
Ireland	0.5	0.7	2.3
United Kingdom	22.1	38.4	52.3

Whereas in view of these factors, of the foreseeable development during 1977 of the market for the products in question and in particular of the estimates submitted by certain Member States, initial percentage shares in the quota volumes may consequently be fixed approximately as follows:

Germany	65
Benelux	18
France	13
Italy	4
Denmark	35
Ireland	1
United Kingdom	64

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amounts should be divided into two instalments, the first instalments being allocated among the Member States and the second forming reserves intended ultimately to cover the requirements of the Member States which have used up their initial quota shares; whereas, in order to ensure a certain degree of security for importers in each Member State, the first instalments of the quotas should be determined at levels which, under present circumstances, may be approximately 67% of the quota amounts;

Whereas the initial shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas, this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member

States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quota remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1977, a tariff quota of 815 metric tons shall be opened in the Community for men's and boys' outer garments from Malta falling within heading No 61.01 of the Common Customs Tariff.
2. Within the limits of this tariff quota the Community customs Tariff duties shall be totally suspended.
This suspension shall be fully applied in the new Member States.
3. An amount of 364 metric tons shall be allocated to the Member States of the Community as originally constituted.
4. An amount of 451 metric tons shall be allocated to the new Member States.

Article 2

1. A first instalment, amounting to 243 metric tons of the amount specified in Article 1 (3), shall be allocated among the Member States of the Community as originally constituted; the shares, which subject to Article 5 are valid until 31 December 1977, shall be as follows:

Benelux	44 metric tons,
Germany	158 metric tons,
France	31 metric tons,
Italy	10 metric tons.

The second instalment of 121 metric tons shall constitute the relevant reserve.

2. A first instalment, amounting to 300 metric tons of the amount mentioned in Article 1 (4), shall be allocated among the new Member States; the shares, which subject to Article 5 are valid until 31 December 1977, shall be as follows:

Denmark	105 metric tons,
Ireland	3 metric tons,
United Kingdom	192 metric tons.

The second instalment of 151 metric tons shall constitute the relevant reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2, or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the relevant reserve allows.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, proceed to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way to draw a fourth share equal to the third.

This process shall be applied until the reserves are exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be

used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 December 1977.

Article 5

Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial share which, on 15 September 1977, is in excess of 20% of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the product concerned effected up to 15 September 1977 inclusive, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserves have been used as soon as it receives the notifications.

The Commission shall, not later than 5 October 1977, notify Member States of the amount in the reserves after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up any reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. Member States shall ensure that importers of the product concerned established in their territory have free access to the shares allocated to them.

3. Member States shall charge imports of the said goods against their share as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 9 December 1976.

For the Council
The President
P. J. J. MERTENS

COUNCIL REGULATION (EEC) No 3045/76

of 9 December 1976

totally suspending the customs duties on certain industrial products originating in Malta
(1977)

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, by virtue of the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾, the Community applies the Common Customs Tariff duties, reduced by 70%, to products covered by this Agreement; whereas it seems advisable provisionally to increase this tariff advantage by means of the total suspension of the customs duties applicable to such products; whereas, however, this measure cannot affect the products subject to the tariff quotas provided for in the abovementioned Agreement;

Whereas, in order to avoid the danger of disrupting traditional patterns of trade by imports of such products, provision should be made to enable the Commission to reintroduce at any time, by means of a Regulation, the levying of conventional duties in respect of Malta,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1977, the Common Customs Tariff duties and the customs tariff duties of the new Member States shall be

totally suspended in respect of products falling within Chapters 25 *et seq.* of the Common Customs Tariff covered by the Agreement establishing an association between the European Economic Community and Malta, pursuant to Article 1 of Annex I thereto, with the exception of products falling within heading Nos 55.05, 56.04, 60.05 and 61.01.

Ireland, however, shall be authorized to apply to such products duties equal to those which it applies to Member States other than the United Kingdom.

2. The suspension referred to in paragraph 1 shall apply solely to products originating in Malta. The rules of origin shall be those in force at the time as regards the implementation of the above Agreement.

Article 2

In order to avoid disrupting traditional trade patterns by imports of products benefiting from the duty suspension provided for in Article 1, the Commission may, by means of a Regulation, reintroduce the levying of customs duties at any time up to the end of the calendar year, at the level applicable in pursuance of Article 1 of Annex I to the aforesaid Agreement.

Article 3

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 9 December 1976.

For the Council
The President
P. J. J. MERTENS

(¹) GEN I 1

COUNCIL REGULATION (EEC) No 3046/76

of 9 December 1976

totally or partially suspending Common Customs Tariff duties on certain products falling within Chapters 1 to 24 of the Common Customs Tariff, originating in Malta (1977)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 3058/75⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas, under Annex I to the Agreement establishing an association between the European Economic Community and Malta⁽³⁾, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in Annex A to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 1059/69 or the customs duty applicable to the other products from 1 January until 31 December 1977 and at the levels indicated for each of them;

Whereas, for certain products of Chapters 1 to 24 of the Common Customs Tariff, this scheme would,

however, involve the application in the new Member States of customs duties higher than — or very close to — those applied by the new Member States to non-member countries in general on the basis of the Act of Accession; whereas, in order to maintain an equivalent preferential margin for these products also, reduced customs duties should be applied to them in accordance with the detailed rules based on the principle of maintaining in the new Member States a preference proportional to that which exists between the duties of the Common Customs Tariff and the duties given in Annex A to this Regulation; whereas, with a view to granting Malta the best possible treatment, in accordance with the objectives of the preference scheme, the duties given in Annex A should also be applied wherever the duties calculated according to the abovementioned detailed rules prove to be higher than them,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1977, the products originating in Malta listed in Annex A shall be admitted for import into the Community as originally constituted at the customs duties indicated for each of them.

On importation into Denmark, Ireland and the United Kingdom, there shall be applied to the abovementioned products the customs duties determined by multiplying, by a coefficient equal to the margin of preferences existing between the duties given in Annex A and the Common Customs Tariff duties applicable, the duties obtained by reducing the difference between the lowest duty applied on 1 January 1972 to the developing countries, and the Common Customs Tariff by 80% in respect of the products mentioned in Annex B in 1977, and by

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 306, 25. 11. 1975, p. 3.

⁽³⁾ GEN I 1

80% in respect of the other products given in Annex A from 1 January to 30 June 1977.

However, from 1 January 1977, the duties given in Annex A shall be applied where the duties resulting from the abovementioned calculation are higher than them.

From 1 July 1977, the duties given in Annex A shall be applied to the products not mentioned in Annex B.

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

Article 2

When products benefiting from the arrangements provided for in Article 1 are imported in the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual

or potential serious disadvantage in a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide, by means of a Regulation, to reintroduce the levying of customs duties for a limited period.

2. In the event of such action being requested by a Member State, the Commission shall take a decision within a period of not more than 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 9 December 1976.

For the Council

The President

P. J. J. MERTENS

ANNEX A

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03, or 01.04 fresh, chilled or frozen: A. Meat: III. Of swine: b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen: ex A. Of domestic pigeons ex B. Furred game, frozen C. Other: ex I. Frogs' legs II. Other	7% Free Free Free
04.06	Natural honey	25%
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material: B. Other	Free
07.01	Vegetables, fresh or chilled: ex T. Other: — Okra (<i>Hibiscus exculentus</i> L. or <i>Abelmoschus exculentus</i> (L.) Moench)	Free
08.08	Berries, fresh: F. Other	6%
15.10	Fatty acids, acid oils from refining; fatty alcohols: C. Other fatty acids; acid oils from refining	Free
16.02	Other prepared or preserved meat or meat offal: A. Liver: I. Goose or duck liver	14%

CCT heading No	Description	Rate of duty
1	2	3
16.02 (cont'd)	B. Other: II. Game or rabbit meat or offal: — Game — Rabbit III. Other: b) Other: ex 1. Containing bovine meat or offal: — Prepared or preserved bovine tongue 2. Other: aa) Ovine meat or offal bb) Other	9 % 14 % 17 % 18 % 16 %
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: B. Truffles D. Asparagus E. Sauerkraut ex F. Capers	14 % 20 % 16 % 12 %
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: A. Of a specific gravity exceeding 1.33 at 15 °C: III. Other: ex a) Of a value exceeding 30 u.a. per 100 kg net weight: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons b) Of a value not exceeding 30 u.a. per 100 kg net weight: ex 1. With an added sugar content exceeding 30 % by weight: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples melons and watermelons ex 2. Other: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	15 % 15 % + (L) 15 %

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>B. Of a specific gravity of 1.33 or less at 15 °C:</p> <p>II. Other:</p> <p>a) Of a value exceeding 30 u.a. per 100 kg net weight:</p> <p>2. Grapefruit juice 8 %</p> <p>ex 3. Other citrus fruit juices:</p> <p>aa) Containing added sugar 13 %</p> <p>bb) Other 13 %</p> <p>6. Other fruit and vegetable juices, excluding apricot and peach juices:</p> <p>ex aa) Containing added sugar:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 10 %</p> <p>— Other, excluding apricot and peach juices 17 %</p> <p>ex bb) Other:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 10 %</p> <p>— Other, excluding apricot and peach juices 18 %</p> <p>7. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p> <p>11. Containing added sugar 17 %</p> <p>22. Other 18 %</p> <p>b) Of a value of 30 u.a. or less per 100 kg net weight:</p> <p>2. Grapefruit juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight 8 % + (L)</p> <p>bb) Other 8 %</p> <p>4. Other citrus fruit juices:</p> <p>aa) With an added sugar content exceeding 30 % by weight 14 % (L)</p> <p>bb) With an added sugar content of 30 % or less by weight 14 %</p> <p>cc) Not containing added sugar 15 %</p>	

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>7. Other fruit and vegetable juices, excluding apricots and peaches:</p> <p>ex aa) With an added sugar content exceeding 30 % by weight:</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>ex bb) With an added sugar content of 30% or less by weight:</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>ex cc) Not containing added sugar:</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>8. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p> <ul style="list-style-type: none"> 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar 	<p>10 % + (L)</p> <p>17 % + (L)</p> <p>10 %</p> <p>17 %</p> <p>10 %</p> <p>18 %</p> <p>17 % + (L)</p> <p>17 %</p> <p>18 %</p>
21.06	<p>Natural yeasts (active or inactive); prepared baking powders:</p> <p>A. Active natural yeast:</p> <p>II. Bakers' yeast:</p> <ul style="list-style-type: none"> a) Dried b) Other 	<p>5 % + vc</p> <p>5 % + vc</p>

CCT heading No	Description	Rate of duty
1	2	3
23.01	Flours and meal, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves: B. Flours and meals of fish, crustaceans or molluscs	Free

Abbreviations:

(L) = levy,
vc = variable component.

ANNEX B

List of the products in respect of which the difference between the lowest duties applied on 1 January 1972 to developing countries by Denmark, Ireland and the United Kingdom and the duties of the Common Customs Tariff must be reduced in accordance with Article 1

CCT heading No	Description
07.01	Vegetables, fresh or chilled: ex T. Other: — Okra (<i>Hibiscus exculentus</i> L. or <i>Abelmoschus exculentus</i> (L.) Monench)
08.08	Berries, fresh: F. Other
16.02 (a)	Other prepared or preserved meat or meat offal: B. Other: III. Other: b) Other: ex 1. Containing bovine meat or offal: — Prepared or preserved bovine tongue
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: B. Truffles D. Asparagus E. Sauerkraut ex F. Capers
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: A. Of a specific gravity exceeding 1.33 at 15 °C: III. Other: ex a) Of a value exceeding 30 u.a. per 100 kg net weight: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons b) Of a value not exceeding 30 u.a. per 100 kg net weight: ex 1. With an added sugar content exceeding 30 % by weight: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons ex 2. Other: — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons

(a) From the start of the marketing year for beef and veal this heading will be deleted from this Annex.

CCT heading No	Description
20.07 (cont'd)	<p>B. Of a specific gravity of 1.33 or less at 15 °C:</p> <p>II. Other:</p> <p>a) Of a value exceeding 30 u.a. per 100 kg net weight:</p> <p>2. Grapefruit juice</p> <p>ex 3. Other citrus fruit juices:</p> <p>aa) Containing added sugar</p> <p>bb) Other</p> <p>6. Other fruit and vegetable juices, excluding apricot and peach juices:</p> <p>ex aa) Containing added sugar:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>ex bb) Other:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>7. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p> <p>11. Containing added sugar</p> <p>22. Other</p> <p>b) Of a value of 30 u.a. or less per 100 kg net weight:</p> <p>2. Grapefruit juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) Other</p> <p>4. Other citrus fruit juices:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) With an added sugar content of 30 % or less by weight</p> <p>cc) Not containing added sugar</p> <p>ex 7. Other fruit and vegetable juices, excluding apricots and peaches:</p> <p>ex aa) With an added sugar content exceeding 30 % by weight:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p>

CCT heading No	Description
20.07 (cont'd)	<p>ex bb) With an added sugar content of 30 % or less by weight:</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>ex cc) Not containing added sugar:</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>8. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p> <ol style="list-style-type: none"> 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar

COUNCIL REGULATION (EEC) No 1693/77

of 25 July 1977

extending the term of validity of the arrangements applicable to trade with Malta beyond the date of expiry of the first stage of the Association Agreement

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the provisions governing the first stage of the Agreement establishing an association between the European Economic Community and Malta (1), including the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta (2), which were extended by the Agreement of 26 February 1976 (3), expire on 30 June 1977;

Whereas an Additional Protocol to the Association Agreement has been negotiated;

Whereas, pending the entry into force of that Protocol, the arrangements which the Community applies to trade with Malta under the association with that country should be extended, in the light of the outcome of the negotiation of the aforesaid Protocol, so as to avoid the sudden disruption of certain traditional trade patterns,

HAS ADOPTED THIS REGULATION:

Article 1

The trade arrangements provided for in the Agreement establishing an association between the European Economic Community and Malta, including the Protocol laying down certain provisions to that Agreement, except for Articles 4, 9 (1) and 11 of the said Protocol and in Decision No 1/76 of the EEC-Malta Association Council of 29 June 1976 derogating from the concept of 'originating products' for reception apparatus falling within heading No 85.15 of the Brussels tariff nomenclature (4), shall remain applicable in the Community beyond 30 June 1977.

(1) GEN I 1

(2) GEN I 79

(3) GEN I 74

(4) GOODS II 107 A

(5) OJ No L 73, 27. 3. 1972, p. 14.

Article 2

For the products covered by Article 59 (1)(b) of the Act of Accession (5), Article 4 of the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta shall remain applicable until 31 December 1977.

Article 3

1. Until the date of entry into force of the Additional Protocol or until 31 December 1977, whichever is the sooner, the Common Customs Tariff duties in respect of the products originating in Malta indicated below shall be totally suspended within the limits of a global Community tariff quota of 375 tonnes:

CCT heading No	Description of goods
16.02	Other prepared or preserved meat or meat offal: B. Other: III. Other: b) Other: 1. Containing bovine meat or offal: bb) Other

2. By way of derogation from the special provisions contained in Annex II to the 'origin' Protocol for heading No 16.02, which provides that the non-originating products of Chapter 2 may not be used, tinned stewed steak manufactured in Malta shall be regarded as a product originating in Malta, where this condition is not observed, provided that the other conditions applicable to this heading are observed.

The following entry must be made in Section 7 of movement certificates EUR.1, issued in respect of originating products pursuant to the derogation referred to in this paragraph:

'Derogation stewed steak.'

Article 4

1. A first instalment of 350 tonnes of the Community tariff quota referred to in Article 3 shall be allocated among the Member States ; the respective shares which, subject to Article 7, shall be valid until the end of the period specified in Article 3 (1) shall be as follows :

	<i>tonnes</i>
Benelux	2
Denmark	2
France	2
Germany	2
Ireland	2
Italy	2
United Kingdom	338

2. The second instalment of 25 tonnes shall be held as the Community reserve.

Article 5

1. If 90 % or more of a Member State's initial share as specified in Article 4 (1), or of that share minus the portion returned to the reserve where Article 7 is applied, has been used up, that Member State shall without delay, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit, to the extent permitted by the amount of the reserve.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions imposed by paragraph 1, draw a third share equal to 7.5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the same conditions, draw a fourth share equal to the third.

This process shall continue to apply until the reserve is used up.

4. By way of derogation from paragraphs 1 to 3, a Member State may draw shares smaller than those fixed in those paragraphs if there are grounds for believing that those fixed may not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 6

Supplementary shares drawn pursuant to Article 5 shall be valid until the end of the period specified in Article 3 (1).

Article 7

The Member States shall return to the reserve, not later than 1 November 1977, the unused portion of their initial share which, on 15 October 1977, is in excess of 20 % of the initial amount. They may return a larger quantity if there are reasons to believe that this quantity may not be used.

Member States shall, not later than 1 November 1977, notify the Commission of the total quantities of the said goods imported up to and including 15 October 1977 and charged against the Community tariff quota and any quantities of the initial shares returned to the reserve.

Article 8

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 4 and 5 and shall, as soon as it has been notified, inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 November 1977, of the amount still in reserve after amounts have been returned thereto pursuant to Article 7.

It shall ensure that the drawing which uses up the reserve is limited to the balance available and to this end shall specify the amount thereof to the Member State making the last drawing.

Article 9

1. Member States shall take all measures necessary to ensure that supplementary shares drawn pursuant to Article 5 are opened in such a way that imports may be charged without interruption against their accumulated shares in the Community tariff quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports from Malta entered for home use.

Article 10

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

Article 11

The Member States and the Commission shall cooperate closely in order to ensure that Articles 3 to 10 are observed.

Article 12

1. The following products originating in Malta shall be exempted from the fixed component of the tax imposed on these products on importation into the Community :

CCT heading No	Description
18.06	Chocolate and other food preparations containing cocoa

2. By way of derogation from the special provisions contained in Annex II to the 'origin' Protocol for heading No 18.06, which provides that non-originating products of Chapter 17 may not represent more than 30 % of the value of the finished products, chocolates manufactured in Malta shall be regarded as products originating in Malta, where this condition is not observed, provided that the other conditions applicable to this heading are observed.

The following entry must be made in Section 7 of movement certificates EUR.1, issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation chocolates.'

Article 13

1. By way of derogation from the special provisions contained in Annex II to the 'origin' Protocol for heading No 85.15, which provides that at least 50 % in value of the materials and parts used must be originating products, intermediate-frequency transformers manufactured in Malta shall be regarded as products

originating in Malta, where this condition is not observed, provided that the other conditions applicable to this heading are observed.

The following entry must be made in Section 7 of movement certificates EUR.1, issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation IFT.'

2. By way of derogation from the special provisions contained in Annex II to the 'origin' Protocol for heading No 92.11, which provides that non-originating transistors may not represent more than 3 % of the value of the finished product, tape recorders manufactured in Malta shall be regarded as products originating in Malta if the value of the non-originating transistor does not exceed 5 % of the value of the finished product, provided that the other conditions applicable to this heading are observed.

The following entry must be made in Section 7 of movement certificates EUR.1, issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation tape recorders.'

Article 14

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

It shall apply from 1 July 1977.

The provisions of this Regulation shall remain applicable until the entry into force of the Additional Protocol or until 31 December 1977, whichever is the sooner.

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

Done at Brussels, 25 July 1977.

For the Council

The President

H. SIMONET

COUNCIL REGULATION (EEC) No 2805/77
of 12 December 1977

on the total or partial suspension of Common Customs Tariff duties on certain products falling within Chapters 1 to 24 of the Common Customs Tariff, originating in Malta (1978)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Regulation (EEC) No 3058/75 ⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas, under Annex I to the Agreement establishing an Association between the European Economic Community and Malta ⁽³⁾, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in the Annex to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 1059/69 or the customs duty applicable to the other products from 1 January to 31 December 1978 and at the levels indicated for each of them,

HAS ADOPTED THIS REGULATION.

Article 1

1. From 1 January to 31 December 1978, the products originating in Malta, listed in the Annex, shall be admitted for import into the Community at the customs duties indicated for each of them.

2. For the purposes of the application of this Regulation, the rules of origin shall be those in force at the

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1

⁽²⁾ OJ No L 306, 25. 11. 1975, p. 3

⁽³⁾ GEN I 1

time as regards the implementation of the Agreement establishing an Association between the European Economic Community and Malta.

Article 2

When products benefiting from the arrangements provided for in Article 1 are imported in the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual or potential serious disadvantage in a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide, by means of a Regulation, to reintroduce the levying of customs duties for a limited period.

2. In the event of such action being requested by a Member State, the Commission shall take a decision within a period of not more than 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 12 December 1977.

For the Council

The President

A. HUMBLET

ANNEX

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03, or 01.04 fresh, chilled or frozen : A. Meat : III. Of swine : b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen : ex A. Of domestic pigeons ex B. Furred game, frozen C. Other : ex I. Frogs' legs II. Other	7 % Free Free Free
04.06	Natural honey	25 %
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material : B. Other	Free
07.01	Vegetables, fresh or chilled : ex T. Other : — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench) : <i>Moringa oleifera</i> (drumsticks)	Free
08.08	Berries, fresh : F. Other	6 %
15.10	Fatty acids, acid oils from refining ; fatty alcohols : C. Other fatty acids ; acid oils from refining	Free
16.02	Other prepared or preserved meat or meat offal : A. Liver : I. Goose or duck liver	14 %

CC1 heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>B Of a specific gravity of 1.33 or less at 15 °C.</p> <p>II. Other.</p> <p>a) Of a value exceeding 30 u.a. per 100 kg net weight :</p> <p>2. Grapefruit juice 8 %</p> <p>ex 3. Other citrus fruit juices .</p> <p>aa) Containing added sugar 13 %</p> <p>bb) Other 13 %</p> <p>6. Other fruit and vegetable juices, excluding apricot and peach juices :</p> <p>ex aa) Containing added sugar :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 10 %</p> <p>— Other, excluding apricot and peach juices 17 %</p> <p>ex bb) Other :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 10 %</p> <p>— Other, excluding apricot and peach juices 18 %</p> <p>7. Mixtures :</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice :</p> <p>11. Containing added sugar 17 %</p> <p>22. Other 18 %</p> <p>b) Of a value of 30 u.a. or less per 100 kg net weight :</p> <p>2. Grapefruit juice :</p> <p>aa) With an added sugar content exceeding 30 % by weight 8 % + (L)</p> <p>bb) Other 8 %</p> <p>4. Other citrus fruit juices :</p> <p>aa) With an added sugar content exceeding 30 % by weight 14 % + (L)</p> <p>bb) With an added sugar content of 30 % or less by weight 14 %</p> <p>cc) Not containing added sugar 15 %</p>	

CC.I heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>7. Other fruit and vegetable juices, excluding apricot and peach juice :</p> <p>ex aa) With an added sugar content exceeding 30 % by weight :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>ex bb) With an added sugar content of 30 % or less by weight :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>ex cc) Not containing added sugar :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>8. Mixtures :</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice :</p> <p>11. With an added sugar content exceeding 30 % by weight</p> <p>22. With an added sugar content of 30 % or less by weight</p> <p>33. Not containing added sugar</p>	<p>10 % + (L)</p> <p>17 % + (L)</p> <p>10 %</p> <p>17 %</p> <p>10 %</p> <p>18 %</p> <p>17 % + (L)</p> <p>17 %</p> <p>18 %</p>
21.06	<p>Natural yeasts (active or inactive); prepared baking powders :</p> <p>A. Active natural yeast :</p> <p>II. Bakers' yeast :</p> <p>a) Dried</p> <p>b) Other</p>	<p>5 % + ve</p> <p>5 % + ve</p>

CCI heading No	Description	Rate of duty
1	2	3
23.01	Flours and meal, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves : B. Flours and meals of fish, crustaceans or molluscs	Free

Abbreviations
 (L) = levy,
 vc = variable component

COUNCIL REGULATION (EEC) No 2816/77

of 28 November 1977

establishing ceilings and Community supervision for imports of certain products originating in Malta (1978)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾, as amended by the Additional Protocol to that Agreement ⁽²⁾, makes provision for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas, however, for a number of products exemption from duties is subject to ceilings above which the customs duties applicable to third countries may be reintroduced; whereas the ceilings to be applied in 1978 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Malta; whereas it is therefore desirable that imports of these products be subjected to a system of supervision;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products are entered with customs authorities for home use; whereas this administrative procedure must make provision for the possibility of customs tariff duties being reintroduced as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission and the latter must in particular be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able

to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, imports of the products originating in Malta listed in the Annex shall be subject to annual ceilings and Community supervision.

The description of the products referred to in the first subparagraph, their tariff headings and statistical numbers and the levels of the ceilings are given in the Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for home use accompanied by a movement certificate in accordance with the rules contained in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta ⁽³⁾.

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

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

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

3. As soon as the ceilings have been reached, the Commission may adopt a Regulation reimposing

⁽¹⁾ GEN I 1

⁽²⁾ GEN I 160

⁽³⁾ GEN I 79

until the end of the calendar year the customs duties applicable to third countries.

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

Article 2

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

Article 3

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

ANNEX

List of products subject to import ceilings in 1978

Serial No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I M 1	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos	1 260
I M 2	55.09	Other woven fabrics of cotton	55.09-all Nos	105
I M 3	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04-all Nos	840
I M 4	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	60.05-all Nos	227
I M 5	61.01	Men's and boys' outer garments	61.01-all Nos	856

COUNCIL REGULATION (EEC) No 2825/77

of 28 November 1977

opening, allocating and providing for the administration of a Community tariff quota for certain prepared or preserved bovine meat falling within heading No ex 16.02 of the Common Customs Tariff, originating in Malta (1978)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Article 7 of the Additional Protocol to the Agreement between the European Economic Community and Malta (1) lays down that the Community is to open a Community tariff quota of 650 tonnes free of customs duties for certain prepared and preserved bovine meat known as stewed steak falling within subheading ex 16.02 B III b) 1 bb) of the Common Customs Tariff; whereas the tariff preference in question is to apply from the date of entry into force of that Protocol until 30 June 1978; whereas Article 10 of the Protocol also provides for a derogation from the rules of origin laid down in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta (2); whereas by Regulation (EEC) No 1693/77 (3) the Community has already opened a tariff quota of 375 tonnes for the period up to 31 December 1977; whereas consequently a Community tariff quota of 275 tonnes should be opened for the first six months of 1978;

Whereas it is in particular necessary to ensure equal and uninterrupted access to the abovementioned quota for all Community importers and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Mem-

ber States until the quota has been used up; whereas having regard to the principles mentioned above the Community nature of the quota might be respected by means of a system of use of the Community tariff quota based on allocation among the Member States; whereas to represent as closely as possible the actual state of the market in the products in question, allocation should be proportionate to the requirements of the Member States as calculated from both statistics on imports from Malta during a representative reference period and the economic outlook for the tariff period in question;

Whereas the Community statistics available provide no information on the situation of the products in question on Member States' markets; whereas however it may be taken that those products are marketed almost exclusively in one Member State; whereas consequently, to ensure a fair allocation of the quota volume among the Member States, each Member State should take a significant part of the quota volume, making due allowance for the situation referred to above;

Whereas, to take account of the development of imports into the various Member States of the products concerned, the quota volume should be divided into two instalments, the first being shared among the Member States and the second held as a reserve to cover the subsequent requirements of those Member States which have used up their initial share; whereas to give each Member State's importers some degree of certainty, the first instalment of the Community quota might be fixed at approximately 90 % of the quota volume;

Whereas the initial shares of Member States may be used up at varying speeds; whereas accordingly to avoid any discontinuity any Member State which has almost used up its initial share must take an additional share from the reserve; whereas this must be done by each Member State as each one of its additional shares is almost used up and as many times as the reserve allows; whereas the initial and additional shares must apply until the end of the quota

(1) GEN I 160

(2) GEN I 79

(3) GEN II 3

period; whereas this form of administration requires close collaboration between the Member States and the Commission and the Commission must be able to monitor the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas if at a given date in the quota period a considerable quantity of the initial share is left over in a Member State it is essential that the Member State concerned should return a significant proportion to the reserve to prevent a part of the Community quota from remaining unused in one Member State while it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 30 June 1978 the Common Customs Tariff duty on the products indicated below, originating in Malta, shall be totally suspended in respect of a Community tariff quota of 275 tonnes:

CCT heading No	Description
16.02	Other prepared or preserved meat or meat offal: B. Other: III. Other: b) Other: 1. Containing bovine meat or offal: bb) Other

2. Notwithstanding the special provisions contained in Annex II to the Protocol on origin for heading No 16.02, which provides that non-originating products of Chapter 2 may not be used, tinned stewed steak manufactured in Malta shall be regard-

ed as a product originating in Malta where this condition is not observed, provided that the other conditions applicable to that heading are observed.

The following entry must be made in Section 7 of movement certificates EUR. 1 issued in respect of originating products pursuant to the derogation referred to in this paragraph:

'Derogation stewed steak'.

Article 2

1. A first instalment of 250 tonnes of the Community tariff quota referred to in Article 1 shall be allocated among the Member States; the respective shares which subject to Article 5 shall be valid until 30 June 1978 shall be as follows:

Benelux	2 tonnes,
Denmark	2 tonnes,
Germany	2 tonnes,
France	2 tonnes,
Ireland	2 tonnes,
Italy	2 tonnes,
United Kingdom	238 tonnes.

2. The second instalment of 25 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of the initial share of a Member State, as laid down in Article 2 (1), or of that share less the amount returned to the reserve if Article 5 is applied, has been used up, that Member State shall without delay, by notifying the Commission, take a second share equal to 15 % of its initial share rounded up to the next unit, in so far as the reserve permits.

2. If after its initial share has been exhausted 90 % or more of the second share taken by a Member State has been used, that Member State shall in accordance with the conditions laid down in paragraph 1 take a third share equal to 7.5 % of its initial share rounded up to the next unit.

3. If after its second share has been exhausted 90 % or more of the third share taken by a Member

State has been used, that Member State shall, in the same way, take a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, the Member States may take shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Additional shares taken pursuant to Article 3 shall apply until 30 June 1978.

Article 5

The Member States shall return to the reserve not later than 1 May 1978 the unused portion of their initial shares which on 15 April 1978 is in excess of 20 % of the initial amount. They may return a greater amount if there are grounds for believing that amount may not be used up.

The Member States shall notify the Commission not later than 1 May 1978 of the total imports of the products in question effected up to 15 April 1978 inclusive and charged against the Community quota and of any portion of their initial shares which they are returning to the reserve.

Article 6

The Commission shall keep account of the quota shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

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

Done at Brussels, 28 November 1977.

The Commission shall notify Member States not later than 5 May 1978 of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any share taken which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which takes the last share.

Article 7

1. The Member States shall take all appropriate measures to ensure that when additional shares are taken out pursuant to Article 3 it is possible for quantities to be charged, without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the products in question established in their territory have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports originating in Malta entered with customs authorities for home use.

Article 8

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

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1978.

For the Council

The President

L. OUTERS

9. 5. 78

Official Journal of the European Communities

No L 122/21

**COMMISSION REGULATION (EEC) No 944/78
of 3 May 1978**

**reimposing the levying of customs duties applicable to third countries on
certain products originating in Malta**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Agreement establishing an associ-
ation between the European Economic Community
and Malta ⁽¹⁾, and in particular to the Additional
Protocol ⁽²⁾ thereto,

Having regard to Council Regulation (EEC) No
2816/77 of 28 November 1977 establishing ceilings
and Community supervision of imports of certain
products originating in Malta, and in particular
Article 1 thereof,

Whereas Article 5 of the abovementioned Additional
Protocol provides that the products listed below,
imported under reduced duty rates according to
Article 3, are subject to the annual ceiling there indi-
cated, above which the customs duties applicable to
third countries may be re-established:

CC1 heading No	Description	Ceiling (tonnes)
61.01	Men's and boys' outer garments	856

Whereas imports into the Community of the above-
mentioned products originating in Malta have reached

that ceiling; whereas the situation on the Community
market requires that customs duties applicable to
third countries be reimposed for the products in ques-
tion,

HAS ADOPTED THIS REGULATION:

Article 1

From 12 May until 31 December 1978, the levying of
customs duties applicable to third countries shall be
reimposed on imports into the Community of the
following products:

CC1 heading No	Description	Origin
61.01	Men's and boys' outer garments	Malta

Article 2

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

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

Done at Brussels, 3 May 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ GEN I 1
⁽²⁾ GEN I 160

COUNCIL REGULATION (EEC) No 1276/78
of 12 June 1978

amending Regulation (EEC) No 2825/77 opening, allocating and providing for the administration of a Community tariff quota for certain prepared or preserved bovine meat falling within heading No ex 16.02 of the Common Customs Tariff, originating in Malta (1978)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Whereas Article 7 of the Additional Protocol to the Agreement between the European Economic Community and Malta ⁽¹⁾ lays down that the Community is to open, for the period 1 July 1977 to 30 June 1978, a Community tariff quota of 650 tonnes free of customs duties for certain prepared and preserved bovine meat known as stewed steak, falling within subheading ex 16.02 B III b) 1 bb) of the Common Customs Tariff; whereas by Regulations (EEC) No 1693/77 ⁽²⁾ and (EEC) No 2825/77, the Community opened a tariff quota of 375 tonnes for the period 1 July to 31 December 1977 and of 275 tonnes for the period 1 January to 30 June 1978; whereas the quota of 375 tonnes remained unused as at 31 December 1977; whereas provision should therefore be made for this

quantity to be used up within the quota opened by Regulation (EEC) No 2825/77; whereas that Regulation should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2825/77 is hereby amended as follows:

1. In Article 1 (1), the Community tariff quota shall be increased to 650 tonnes.
2. In Article 2 (2), the reserve shall be increased to 400 tonnes.

Article 2

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

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

Done at Luxembourg, 12 June 1978.

For the Council

The President

K. OLESEN

⁽¹⁾ GEN I 160
⁽²⁾ GEN II 3

COUNCIL REGULATION (EEC) No 1707/78

of 18 July 1978

derogating, for certain products coming from Malta, from the Protocol to the Agreement establishing an association between the European Economic Community and Malta concerning the definition of the concept of 'originating products' and methods of administrative cooperation

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 an Agreement establishing an association between the European Economic Community and Malta⁽¹⁾, hereinafter called 'the Agreement', was signed at Valletta on 5 December 1970 and entered into force on 1 April 1971;

Whereas a Protocol laying down certain provisions relating to the Agreement⁽²⁾ and to which is annexed a Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter called 'the Origin Protocol', was signed in Brussels on 4 March 1976 and entered into force on 1 June 1976;

Whereas an Additional Protocol to the Agreement⁽³⁾ was signed in Brussels on 27 October 1977 and entered into force on 1 January 1978; whereas Article 10 of that Protocol provides for derogations from the Origin Protocol in the case of intermediate-frequency transformers, radios and tape recorders until 30 June 1978;

Whereas the Government of the Republic of Malta has requested that these derogations be extended;

Whereas the derogations should be granted for a further period of six months,

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from the special provisions of Annex II to the Origin Protocol for heading No 85.15, to the effect that at least 50 % in value of the materials and parts used shall be originating products, intermediate-frequency transformers manufactured in Malta shall be regarded as products originating in Malta even though this condition is not observed, provided that the other conditions relating to this heading are satisfied.

(¹) GEN I 1
(²) GEN I 79
(³) GEN I 160

The following entry shall be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph:

'Derogation IFT.'

2. By way of derogation from the special provisions of Annex II to the Origin Protocol for heading No 85.15, to the effect that non-originating transistors may not represent more than 3 % of the value of the finished product, reception apparatus manufactured in Malta shall be regarded as a product originating in Malta even though this condition is not observed, provided that the other conditions relating to this heading are satisfied.

The following entry shall be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph:

'Derogation radios.'

3. By way of derogation from the special provisions of Annex II to the Origin Protocol for heading No 92.11, to the effect that non-originating transistors may not represent more than 3 % of the value of the finished product, tape recorders manufactured in Malta shall be regarded as products originating in Malta if the value of the non-originating transistors does not exceed 5 % of the value of the finished product, provided that the other conditions relating to this heading are satisfied.

The following entry shall be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph:

'Derogation tape recorders.'

Article 2

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 July to 31 December 1978.

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

Done at Brussels, 18 July 1978.

For the Council

The President

M. LAHNSTEIN

COMMISSION REGULATION (EEC) No 1834/78

of 27 July 1978

reimposing the levying of customs duties applicable to third countries on certain products originating in Malta

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾, and in particular the Additional Protocol ⁽²⁾ thereof,

Having regard to Council Regulation (EEC) No 2816/77 of 28 November 1977 establishing ceilings and Community supervision of imports of certain products originating in Malta, and in particular Article 1 thereof,

Whereas Article 5 of the abovementioned Additional Protocol provides that the products listed below, imported under reduced duty rates according to Article 3, are subject to the annual ceiling indicated, above which the customs duties applicable to third countries may be re-established:

CCT heading No	Description	Ceiling (tonnes)
55.09	Other woven fabrics of cotton	105

Whereas imports into the Community of those products originating in Malta have reached that

ceiling; whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be reimposed,

HAS ADOPTED THIS REGULATION:

Article 1

From 4 August to 31 December 1978, the levying of customs duties applicable to third countries shall be reimposed on imports into the Community of the following products:

CCT heading No	Description	Origin
55.09	Other woven fabrics of cotton	Malta

Article 2

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

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

Done at Brussels, 27 July 1978.

For the Commission

Etienne DAVIGNON

Member of the Commission

⁽¹⁾ GEN I 1
⁽²⁾ GEN I 160

COMMISSION REGULATION (EEC) No 2617/78

of 8 November 1978

making the importation of certain textile products originating in Malta subject to quantitative limitation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 493/71 of 1 March 1971 on the safeguard measures provided for in the Agreement establishing an Association between the European Economic Community and Malta⁽¹⁾, and in particular Article 1 thereof,

Having regard to the formal request submitted by the United Kingdom after consultation within the Advisory Committee established by Article 3 of that Regulation,

Whereas there has been a substantial increase in imports from the supplier countries on the Community market; whereas these imports have given rise to market disturbance and are causing serious damage to Community producers resulting in the closure of mills and considerable loss of employment;

Whereas in consequence of this situation imports of certain textile products originating in the majority of low-cost supplier countries are at present subject to a Community system of authorization and quantitative limitation under either bilateral agreements or autonomous arrangements;

Whereas the extremely rapid increase in recent months of imports into the United Kingdom of certain of these products originating in Malta has helped to exacerbate the cumulative disturbance of that market;

Whereas the volume of this increase makes it necessary to take immediate action aimed at avoiding irreparable damage to United Kingdom producers and a serious deterioration in the economic situation of that region of the Community; whereas it therefore justifies the adoption, pursuant to Article 10 of the Agreement establishing an Association between the European Economic Community and Malta, of the protective measures needed to overcome these difficulties,

HAS ADOPTED THIS REGULATION:

Article 1

1. The importation into the United Kingdom of the textile products listed in Annex A hereto, origi-

⁽¹⁾ GEN II 1

nating in Malta, shall be suspended until 31 December 1978.

2. The provisions of the preceding paragraph shall not apply to products which have been placed on board and are in the course of shipment to the Community before the entry into force of this Regulation.

Article 2

1. The importation into the United Kingdom of textile products listed in Annex B hereto, originating in Malta, shall be subject, until 31 December 1978, to the quantitative limits specified therein.

2. The preceding paragraph shall not apply to products which have been placed on board and are in the course of shipment to the Community before the entry into force of this Regulation.

3. Imports effected between 1 January 1978 and the date of entry into force of this Regulation shall be deducted from the quantities referred to in paragraph 1.

4. The regional quantitative limits specified in paragraph 1 shall be administered in accordance with the provisions of Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas⁽²⁾.

5. The entry into free circulation of the products referred to in paragraph 1 shall be subject to the presentation of an import authorization or equivalent document issued by the authorities of the United Kingdom.

Article 3

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

It shall be applicable until 31 December 1978.

⁽²⁾ OJ No L 148, 8. 6. 1970, p. 1.

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

Done at Brussels, 8 November 1978.

For the Commission
Christopher TUGENDHAT
Member of the Commission

ANNEX A

Category	CCT heading No	NIMEXE code (1978)	Description	Member State
2	55.09	55.09-01; 02; 03; 04; 05; 11; 12; 13; 14; 15; 16; 17; 19; 21; 29; 31; 33; 35; 37; 38; 39; 41; 49; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 68; 69; 70; 71; 72; 73; 74; 76; 77; 78; 81; 82; 83; 84; 86; 87; 92; 93; 97	Other woven fabrics of cotton : Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics	UK
6	ex 61.01 ex 61.02 B	61.01-62; 64; 66; 72; 74; 76 61.02-66; 68; 72	Men's and boys' outer garments Women's, girls' and infants' outer garments : B. Other : Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks of wool, of cotton or of man-made textile fibres	UK
8	ex 61.03	61.03-11; 15; 19	Men's and boys' under garments, including collars, shirt fronts and cuffs : Men's and boys' shirts, woven, of wool, of cotton or of man-made textile fibres	UK

ANNEX B

Category	CCT heading No	NIMEXE code (1978)	Description	Member State	Units	Quantitative limits from 1. 1. to 31. 12. 1978
1	55.05	55.05-13; 19; 21; 25; 27; 29; 33; 35; 37; 41; 45; 46; 48; 52; 58; 61; 65; 67; 69; 72; 78; 92; 98	Cotton yarn, not put up for retail sale	UK	Tonnes	274
4	ex 60.04	60.04-01; 05; 13; 18; 28; 29; 30; 41; 50; 58	Under garments, knitted or crocheted, not elastic or rubberized: Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres; T-shirts and lightweight fine knit roll, polo or turtle necked jumpers and pullovers of regenerated textile fibres	UK	1 000 pieces	365
7	ex 60.05 A II ex 61.02 B	60.05-22; 23; 24; 25 61.02-78; 82; 84	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: A. Outer garments and clothing accessories: II. Other Women's, girls' and infants' outer garments: B. Other: Blouses and shirt blouses, knitted or crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres	UK	1 000 pieces	304

COUNCIL REGULATION (EEC) No 2854/78

of 23 November 1978

establishing ceilings and Community surveillance of imports of certain products originating
in Malta (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾, as amended by the Additional Protocol to that Agreement ⁽²⁾, makes provision for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas however for a number of products exemption from duties is subject to ceilings above which the customs duties applicable to third countries may be reintroduced; whereas the ceilings to be applied in 1979 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Malta; whereas it is therefore desirable that imports of these products be subjected to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products are entered with customs authorities for home use; whereas this administrative procedure must make provision for the possibility of customs tariff duties being reintroduced as soon as the ceilings are reached at Community level;

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

Article 1

1. From 1 January until 31 December 1979, imports of the products listed in the Annex originating in Malta shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, their tariff headings and statistical numbers and the ceilings shall be as set out in the Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for home use accompanied by a movement certificate in accordance with the rules contained in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta ⁽³⁾.

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

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

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

3. As soon as the ceilings have been reached, the Commission may adopt a Regulation reimposing until

⁽¹⁾ GEN I 1

⁽²⁾ GEN I 160

⁽³⁾ GEN I 87

the end of the calendar year the customs duties applicable to third countries.

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

Article 2

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

Article 3

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

ANNEX

List of products subject to import ceilings in 1979

Serial No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I M 1	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos	1 323
I M 2	55.09	Other woven fabrics of cotton	55.09-all Nos	110
I M 3	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04-all Nos	882
I M 4	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	60.05-all Nos	238
I M 5	61.01	Men's and boys' outer garments	61.01-all Nos	899

**COUNCIL REGULATION (EEC) No 3145/78
of 21 December 1978**

totally or partially suspending Common Customs Tariff duties on certain products, falling within Chapters 1 to 24 of the Common Customs Tariff, originating in Malta (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 3058/75⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission, Having regard to the opinion of the European Parliament,

Whereas, under Annex I to the Agreement establishing an Association between the European Economic Community and Malta, (3), the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in the Annex to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 1059/69 or the customs duty applicable to the other products from 1 January to 31 December 1979 and at the levels indicated for each of them,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1979, the products originating in Malta listed in the Annex shall be admitted for import into the Community at the customs duties indicated for each of them.
2. For the purposes of the application of this Regulation, the rules of origin shall be those in force at the

time as regards the implementation of the Agreement establishing an Association between the European Economic Community and Malta.

Article 2

When products benefiting from the arrangements provided for in Article 1 are imported in the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual or potential serious disadvantage in a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide, by means of a Regulation, to reintroduce the levying of customs duties for a limited period.
2. In the event of such action being requested by a Member State, the Commission shall take a decision within a period of not more than 10 working days from receipt of the request and shall inform the Member States of the action taken.
3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 21 December 1978.

For the Council
The President
Otto Graf LAMBSDORFF

(1) OJ No L 141, 12. 6. 1969, p. 1.
(2) OJ No L 306, 25. 11. 1975, p. 3.
(3) GEN I 1

ANNEX

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03, or 01.04 fresh, chilled or frozen : A. Meat : III. Of swine : b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen : ex A. Of domestic pigeons ex B. Furred game, frozen C. Other : ex I. Frogs' legs II. Other	7 % Free Free Free
04.06	Natural honey	25 %
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material : B. Other	Free
07.01	Vegetables, fresh or chilled : ex T. Other : — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (drumsticks)	Free
08.08	Berries, fresh : F. Other	6 %
15.10	Fatty acids, acid oils from refining ; fatty alcohols : C. Other fatty acids ; acid oils from refining	Free
16.02	Other prepared or preserved meat or meat offal : A. Liver : I. Goose or duck liver B. Other : II. Game or rabbit meat or offal : — Game — Rabbit	14 % 9 % 14 %

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>6. Other fruit and vegetable juices, excluding apricot and peach juices :</p> <p>ex aa) Containing added sugar :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>ex bb) Other :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>7. Mixtures :</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice :</p> <p>11. Containing added sugar</p> <p>22. Other</p> <p>b) Of a value of 30 EUA or less per 100 kg net weight :</p> <p>2. Grapefruit juice :</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) Other</p> <p>4. Other citrus fruit juices :</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) With an added sugar content of 30 % or less by weight</p> <p>cc) Not containing added sugar</p> <p>7. Other fruit and vegetable juices, excluding apricot and peach juice :</p> <p>ex aa) With an added sugar content exceeding 30 % by weight :</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p>	<p>10 %</p> <p>17 %</p> <p>10 %</p> <p>18 %</p> <p>17 %</p> <p>18 %</p> <p>8 % + (L)</p> <p>8 %</p> <p>14 % + (L)</p> <p>14 %</p> <p>15 %</p> <p>10 % + (L)</p> <p>17 % + (L)</p>

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	ex bb) With an added sugar content of 30 % or less by weight : — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices ex cc) Not containing added sugar : — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices 8. Mixtures : ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice . 11 With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33 Not containing added sugar	10 % 17 % 10 % 18 % 17 % + (L) 17 % 18 %
21.06	Natural yeasts (active or inactive), prepared baking powders : A. Active natural yeast : II. Bakers' yeast : a) Dried b) Other	5 % + vc 5 % + vc
23.01	Flours and meal, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption ; greaves : B. Flours and meals of fish, crustaceans or molluscs	Free

Abbreviations

(L) = levy,

vc = variable component

COMMISSION REGULATION (EEC) No 1041/79
of 23 May 1979

amending the list of countries and products annexed to Regulation (EEC) No 1251/78 making the import of certain textile products from certain third countries subject to Community surveillance

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1439/74 of 4 June 1974 on common rules for imports⁽¹⁾, and in particular Article 7 thereof,

After consulting the Advisory Committee set up under Article 5 of Regulation (EEC) No 1439/74,

Whereas Commission Regulation (EEC) No 1251/78 of 12 June 1978⁽²⁾, as extended by Regulation (EEC) No 10/79⁽³⁾, makes the importation of certain textile products from certain third countries subject to Community surveillance; whereas the said surveillance does not cover imports originating in Malta;

Whereas in 1978 the trend of imports of certain textile products originating in Malta caused concern to Community producers, particularly in certain regions of the Community;

Whereas, in order to prevent any market disturbance caused by imports of certain textile products originating in Malta and in order to put into operation administrative procedures designed to provide rapid information on the trend of trade flows as regards the above products, the categories in question originating in Malta should be included among the products listed in the Annex to Regulation (EEC) No 1251/78,

HAS ADOPTED THIS REGULATION:

Article 1

The list of products annexed to Regulation (EEC) No 1251/78 shall be supplemented by the products listed in the Annex to this Regulation, originating in Malta.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*. It shall apply until 31 December 1979.

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

Done at Brussels, 23 May 1979.

For the Commission
Wilhelm HAFERKAMP
Vice-President

⁽¹⁾ OJ No L 159, 15. 6. 1974, p. 1.

⁽²⁾ OJ No L 155, 13. 6. 1978, p. 12.

⁽³⁾ OJ No L 2, 4. 1. 1979, p. 11.

ANNEX

List of products referred to in Article 1

Category	CCT heading No	NIMEXE code (1979)	Description	Units	Third country
1	55.05	55.05-13; 19; 21; 25; 27; 29; 33; 35; 37; 41; 45; 46; 48; 52; 58; 61; 65; 67; 69; 72; 78; 92; 98	Cotton yarn, not put up for retail sale	Tonnes	Malta
2	55.09	55.09-01; 02; 03; 04; 05; 11; 12; 13; 14; 15; 16; 17; 19; 21; 29; 31; 33; 35; 37; 38; 39; 41; 49; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 68; 69; 70; 71; 72; 73; 74; 76; 77; 78; 81; 82; 83; 84; 86; 87; 92; 93; 97	Other woven fabrics of cotton : Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics : a) Of which other than unbleached or bleached	Tonnes	Malta
3	56.07 A	56.07-01; 04; 05; 07; 08; 11; 13; 14; 16; 17; 18; 21; 23; 24; 26; 27; 28; 32; 33; 34; 36 56.07-01; 05; 07; 08; 13; 14; 16; 18; 21; 23; 26; 27; 28; 33; 34; 36	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres : Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics : a) Of which other than unbleached or bleached	Tonnes	Malta
4	60.04 B I II a) b) c) IV b) 1 aa) dd) 2 ee) d) 1 aa) dd) 2 dd)	60.04-19; 20; 22; 23; 24; 26; 41; 50; 58; 71; 79; 89	Under garments, knitted or crocheted, not elastic or rubberized : Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, under-vests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres; T-shirts and lightweight fine knit roll; polo or turtle necked jumpers and pullovers of regenerated textile fibres, other than babies' garments	1 000 pieces	Malta
5	60.05 A I II b) 4 bb) 11 aaa) bbb) ccc) ddd) 22 bbb) ccc) ddd) eee)	60.05-01; 27; 28; 29; 30; 33; 36; 37; 38	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : Jerseys, pullovers, slip-overs, twinsets, cardigans, bedjackets and jumpers, knitted or crocheted, not elastic or rubberized, of wool, of cotton or of man-made textile fibres	1 000 pieces	Malta

Category	CCT heading No	NIMEXE code (1979)	Description	Units	Third country
6	61.01 B V d) 1 2 3 e) 1 2 3 61.02 B II e) 6 aa) bb) cc)	61.01-62; 64; 66; 72; 74; 76 61.02-66; 68; 71	Men's and boys' outer garments : Women's, girls' and infants' outer garments : B. Other : Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks of wool, of cotton or of man-made textile fibres	1 000 pieces	Malta
7	60.05 A II b) 4 aa) 22 33 44 55 61.02 B II e) 7 bb) cc) dd)	60.05-22; 23; 24; 25 61.02-78; 82; 84	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other Women's, girls' and infants' outer garments : B. Other : Blouses and shirt blouses, knitted, crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres	1 000 pieces	Malta
8	61.03 A	61.03-11; 15; 19	Men's and boys' under garments, including collars, shirt fronts and cuffs : Men's and boys' shirts, woven, of wool, of cotton or of man-made textile fibres	1 000 pieces	Malta
30 A	61.04 B I	61.04-11; 13; 18	Women's, girls' and infants' under garments : Women's, girls' and infants' woven pyjamas and night dresses, of wool, of cotton or of man-made textile fibres	1 000 pieces	Malta
76	61.01 B I 61.02 B II a)	61.01-13; 15; 17; 19 61.02-12; 14	Men's and boys' outer garments : Women's, girls' and infants' outer garments : B. Other : Men's and boys' woven industrial and occu- pational clothing; women's, girls' and infants' woven aprons, smock overalls and other industrial clothing (whether or not also suitable for domestic use), of wool, of cotton or of man-made textile fibres	1 000 pieces	Malta

COUNCIL DECISION

of 24 May 1979

on financial aid from the Community for the eradication of African swine fever in Malta

(79/510/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the Community should take all appropriate measures to protect itself against the appearance of African swine fever on its territory;

Whereas to this end the Community has undertaken and continues to undertake action designed to contain outbreaks of this type of disease far from its frontiers by helping countries affected to reinforce their preventive measures;

Whereas certain measures have been undertaken by the Maltese authorities, in particular the slaughter of all pigs remaining on their territory and the destruction of all meat from that slaughter;

Whereas, however, in the opinion of the Maltese authorities themselves, the measures hitherto used must be reinforced in order to attain the basic objective of eradicating the disease throughout the country by slaughtering all pigs there and of preventing reinfection by restocking pig farms using modern husbandry techniques;

Whereas the Maltese authorities have asked the Community to contribute to the cost of an effective crash programme for the eradication of African swine fever and for restocking pig farms;

Whereas a favourable response should be given to this request and aid granted in view of the undertaking given by the Maltese authorities to protect the Community against African swine fever, to eliminate the disease completely and to prevent its recurrence by means of a crash programme to be completed within three years;

Whereas this eradication programme must include certain measures which guarantee the effectiveness of the action taken; whereas these measures must be capable of adaptation to developments in the situation by means of a procedure in which the Member States and the Commission will be closely associated;

Whereas it is necessary to keep Member States informed on the progress of the programme,

HAS DECIDED AS FOLLOWS:

Article 1

The Community shall make a financial contribution to the eradication of African swine fever in Malta.

Article 2

The contribution shall be paid on condition that the Maltese authorities establish a crash programme for the eradication of African swine fever and the restocking of pig farms.

This plan, which must be completed within a maximum period of three years, must satisfy the conditions laid down in Article 3, and be approved in accordance with Article 4.

Article 3

The programme specified in Article 2 must provide for:

1. Rigorous eradication measures including the following:
 - (a) the slaughter of all pigs on the territory of Malta;
 - (b) the destruction or consumption of all pigmeat on Maltese territory and of all pigmeat-based products with the exception of preserves in sterilized tins;
 - (c) the cleaning, disinfection, disinsectization and deratization of farms and all places likely to have been contaminated by pigs, pigmeat or pigmeat-based products;

- (d) the destruction or adequate heat treatment of all scraps and swill from cooking and industrial processes using pigmeat;
- (e) the searching out and systematic destruction of all scraps from international means of transport.

2. Preventive measures including the following:

- (a) the veterinary control of imports of pigmeat or pigmeat-based products likely to be infected because of conditions in the places whence they have come;
- (b) the prohibition of any introduction on to Maltese territory of live pigs, whatever their origin and destination, during a period of at least six months after the measures specified in point 1 have been completed in full;
- (c) by way of derogation from (b), the introduction of breeding pigs on to the island of Comino may be authorized under the conditions specified in point 3 two months after the completion of the measures specified in point 1.

3. Measures for supervising restocking, including the following:

- (a) the prohibition of the use for animal feeding of scraps and swill from cooking or industrial processes of pigmeat, except after adequate heat treatment in installations specially designed for the purpose.

The use of such products for feeding pigs shall be restricted, in any case, to rearing establishments, limited in number and specially authorized for this purpose by the competent veterinary authorities, which exclusively rear pigs for fattening;

- (b) the construction or renovation of piggeries in accordance with specifications indicated by the competent authorities;
- (c) a gradual restocking of all Maltese territory using as a basis the breeding pigs introduced beforehand exclusively on Comino and by means of multiplier breeding establishments producing piglets intended for fattening situated on the island of Gozo and on certain specified parts of the island of Malta where the use of scraps and swill, whether or not treated, is prohibited;
- (d) the separation and total isolation of rearing establishments according to specialization (breeding pigs, multipliers and fattening pigs).

Multiplier establishments which in addition fatten all or part of exclusively their own production may be authorized by the competent veterinary authorities in those parts of

Maltese territory where the use of scraps and swill, whether or not treated, is prohibited;

- (e) health-protection supervision of all movements of pigs, whatever their origin and destination;
- (f) health-protection supervision of all rearing establishments as they become operational.

- 4. An increase in the personnel strengths and their funds of the official services responsible for implementation of the programme.

Article 4

After examination of the programme proposed by the Maltese authorities and any amendments to be made thereto, the Commission shall decide, in accordance with the procedure provided for in Article 5, whether or not to approve it.

Article 5

- 1. Where the procedure laid down in this Article is to be used, matters shall without delay be referred by the chairman, either on his own initiative or at the request of a Member State, to the Standing Veterinary Committee (hereinafter called the 'Committee') set up by the Council Decision of 15 October 1968.

- 2. Within the Committee the votes of Member States shall be weighted as provided in Article 148 (2) of the Treaty. The chairman shall not vote.

- 3. The representative of the Commission shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on such measures within a time limit set by the chairman according to the urgency of the matters concerned. Opinions shall be delivered by a majority of 41 votes.

- 4. The Commission shall adopt the measures and shall apply them immediately where they are in accordance with the opinion of the Committee. Where they are not in accordance with the opinion of the Committee or if no opinion is delivered, the Commission shall without delay propose to the Council the measures to be adopted. The Council shall adopt the measures by a qualified majority.

If, within three months from the date on which the proposal was submitted to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and apply them immediately, save where the Council has decided by a simple majority against those measures.

Article 6

Article 5 shall apply until 21 June 1981.

31. 5. 79

Official Journal of the European Communities

No L 133/31

Article 7

1. The estimated assistance of the Community shall be, for the period in question, a maximum of 5 million European units of account, representing at the maximum 50 % of the total cost.

2. Payments shall be made in annual instalments, within the limits of the budgetary appropriations, on presentation of the relevant supporting documents to the Commission.

3. The three-year period for completing the programme provided for in Article 2 shall run from the date laid down by the Commission in its Decision approving the programme.

Article 8

1. The Commission shall follow the implementation of the programme referred to in Article 2. It shall make regular reports to the Member States meeting

within the Committee on the progress of the programme, in the light of information obtained from the Maltese authorities and any reports from experts who, acting on behalf of the Community and appointed by the Commission, have made on the spot visits.

2. The Commission may suspend Community aid if it considers the development of the situation and the results obtained justify such a measure.

3. Amendments by the Maltese authorities to the programme as initially approved must themselves be approved by the procedure referred to in Article 4.

Done at Brussels, 24 May 1979.

For the Council

The President

J. FRANÇOIS-PONCET

COMMISSION DECISION

of 26 July 1979

approving the plan submitted by the Republic of Malta for the eradication of African swine fever and the re-stocking of pig farms

(79/706/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 79/510/EEC of 24 May 1979 on financial aid from the Community for the eradication of African swine fever in Malta, and in particular Articles 2 and 4 thereof,

Whereas, by letter of 27 June 1979, the Republic of Malta communicated to the Commission a plan for the eradication of African swine fever and the re-stocking of pig farms;

Whereas, after examination, this plan proves to be in accordance with the abovementioned Decision, and in particular with the criteria laid down in Article 3 thereof; whereas, therefore, the conditions for a financial contribution by the Community are fulfilled;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS DECIDED AS FOLLOWS:

Article 1

The plan for the eradication of African swine fever and the re-stocking of pig farms submitted by the Republic of Malta is hereby approved.

Article 2

The three-year period for the implementation of the plan referred to in Article 1 shall run from 1 August 1979.

Done at Brussels, 26 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

20. 10. 79

Official Journal of the European Communities

No L 264/7

COUNCIL REGULATION (EEC) No 2300/79

of 16 October 1979

on exceptional aid to the Republic of Malta in the form of pigmeat

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the Republic of Malta has submitted a request to the Community for exceptional aid in the form of pigmeat;

Whereas the requirements of that country, particularly in the wake of the swine fever epidemic which recently decimated its pig herds, justify such aid;

Whereas the Community has taken steps to participate, by means of financial assistance, in the programme to eradicate African swine fever in Malta;

Whereas exceptional aid in the form of pigmeat can be considered an essential adjunct to Community financial assistance to Malta;

Whereas the circumstances giving rise to the granting of the exceptional aid in question dictate that this operation cannot be carried out until action has been taken to slaughter pigs, destroy pigmeat and decontaminate farms, slaughterhouses and meat storage premises on Maltese territory;

Whereas the quantities of pigmeat to be supplied by way of aid, stocks being at present available within the Community, must be mobilized on the Community market;

Whereas the meat in question must be bought and transported as cheaply as possible; whereas provision must be made for a tendering procedure in order to achieve that aim;

Whereas this aid is of an exceptional nature; whereas the Regulations on the common organization of the markets in the pigmeat sector do not provide for tendering procedures; whereas the recipient country should therefore make its own arrangements, in accordance with the conditions to be laid down by the Commission, for mobilizing and transporting the meat in question;

Whereas implementation of this operation would appear to be conducive to furthering the aims of the Community;

Whereas the Treaty does not provide the specific powers of action for this purpose,

HAS ADOPTED THIS REGULATION:

Article 1

Exceptional aid consisting of 2 500 tonnes of pigmeat, in the form of carcasses or semi-carcasses, without head, feet or flare fat and of a quality no lower than class II on the Community scale for the classification of pig carcasses, having a unit price no higher than the average price recorded on the reference markets for the said class II adjusted if necessary for the presentation and point of marketing of the product, shall be granted to the Republic of Malta for consumption by the local population.

Article 2

The exceptional aid specified in Article 1 shall be mobilized by the recipient country on the Community market in accordance with the tendering procedure. The Commission shall lay down appropriate conditions for the tendering procedure and for the use of the aid by the recipient country.

Article 3

The exceptional aid operation may be implemented as soon as the necessary health measures have been taken in Malta in respect of:

- the slaughter of pigs,
- the destruction of all types of pigmeat and of all pigmeat-based products with the exception of preserves in sterilized tins,
- the cleaning, disinfection, disinsectization and deratization of farms and all places likely to have been contaminated by pigs, pigmeat or pigmeat-based products.

Article 4

No refund shall be payable in respect of the goods supplied by way of exceptional aid under this Regulation.

Article 5

The Community shall finance refrigerated transportation of the exceptional aid to the port of unloading.

Article 6

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

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

Done at Luxembourg, 16 October 1979.

For the Council

The President

J. GIBBONS

COMMISSION REGULATION (EEC) No 2459/79
of 6 November 1979
amending Regulation (EEC) No 1251/78 as regards certain textile products originating in Malta

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 926/79 of 8 May 1979 on common rules for imports, and in particular Article 7 thereof,

After consulting the Advisory Committee set up by Article 5 of Regulation (EEC) No 926/79,

Whereas Commission Regulation (EEC) No 1251/78, as last amended by Regulation (EEC) No 1041/79, makes imports of certain textile products originating in certain non-member countries subject to Community surveillance; whereas this surveillance also applies to imports originating in Malta;

Whereas Malta has introduced administrative procedures in order to provide rapid information on the trend of textile trade flows;

Whereas administrative has been established between the European Economic Community and Malta in the field of trade in certain textile products;

Whereas, in order to be effective, the said administrative cooperation must be based in comparable statistical data,

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the other provisions of Regulation (EEC) No 1251/78, the import document referred to in Article 2 of that Regulation shall be issued or endorsed only on presentation of an export licence issued and endorsed by the competent Maltese authorities and of which a specimen is annexed hereto.

Article 2

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

It shall apply until 31 December 1979.

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

Done at Brussels, 6 November 1979.

For the Commission
 Wilhelm HAFERKAMP
Vice-President

BILAG — ANHANG — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

(1) Show net weight (kg) and also quantity in the unit prescribed for category where other et weight - Indiquer le poids net (kg) ainsi que la quantité dans l'unité prévue catégorie si cette unité n'est pas le poids net
 (2) In the currency of the sale contract - Dans la monnaie du contrat de vente

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL	2 No
	3 Quota year Année contingentaire	4 Category number Numéro de catégorie
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	EXPORT LICENCE (Textile products) <hr style="width: 50%; margin: 10px auto;"/> LICENCE D'EXPORTATION (Produits textiles)	
	6 Country of origin Pays d'origine	7 Country of destination Pays de destination
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	9 Supplementary details Données supplémentaires	
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DESIGNATION DES MARCHANDISES	11 Quantity (1) Quantité (1)	12 FOB Value (2) Valeur FOB (2)
13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITE COMPETENTE I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with the European Economic Community Je soussigné certifie que les marchandises désignées ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case No 3 pour la catégorie désignée dans la case No 4 dans le cadre des dispositions régissant les échanges de produits textiles avec la Communauté Economique Européenne.		
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	At - A , on - le <div style="display: flex; justify-content: space-between; margin-top: 20px;"> (Signature) (Stamp - Cachet) </div>	

COUNCIL REGULATION (EEC) No 2645/79

of 20 November 1979

establishing ceilings and Community surveillance of imports of certain products originating in Malta (1980)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾, as amended by the Additional Protocol to that Agreement ⁽²⁾, makes provision for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas however for a number of products exemption from duties is subject to ceilings above which the customs duties applicable to third countries may be reintroduced; whereas the ceilings to be applied in 1980 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Malta; whereas it is therefore desirable that imports of these products be subjected to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products are entered with customs authorities for home use; whereas this administrative procedure must make provision for the possibility of customs tariff duties being reintroduced as soon as the ceilings are reached at Community level;

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

Article 1

1. From 1 January to 31 December 1980, imports of the products listed in the Annex originating in Malta shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, their tariff headings and statistical numbers and the ceilings shall be as set out in the Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for home use accompanied by a movement certificate in accordance with the rules contained in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta ⁽³⁾.

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

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

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

3. As soon as the ceilings have been reached, the Commission may adopt a Regulation reimposing until

⁽¹⁾ GEN I 1

⁽²⁾ GEN I 160

⁽³⁾ GEN I 79

the end of the calendar year the customs duties applicable to third countries.

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

Article 2

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

Article 3

This Regulation shall enter into force on 1 January 1980.

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

Done at Brussels, 20 November 1979.

For the Council

The President

M. O'KENNEDY

ANNEX

List of products subject to import ceilings in 1980

Serial No	CCT heading No	Description	NIMEXE code	Ceiling (tonnes)
1	2	3	4	5
I M 1	55.05	Cotton yarn, not put up for retail sale	55.05- all Nos	1 389
I M 2	55.09	Other woven fabrics of cotton	55.09- all Nos	115
I M 3	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04- all Nos	926
I M 4	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	60.05- all Nos	250
I M 5	61.01	Men's and boys' outer garments	61.01- all Nos	944

COMMISSION REGULATION (EEC) No 2819/79

of 11 December 1979

making the importation of certain textile products originating in certain third countries subject to Community surveillance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 926/79 of 8 May 1979 on common rules for imports⁽¹⁾, and in particular Article 7 thereof,

After consulting the advisory committee set up under Article 5 of the said Regulation,

Whereas by virtue of Regulation (EEC) No 1251/78⁽²⁾, as last amended by Regulation (EEC) No 2459/79⁽³⁾, the Commission has established a system of Community surveillance for imports of certain textile products listed in the Annex and originating in the Mediterranean countries which had signed Agreements establishing preferential arrangements with the Community, that is to say Egypt, Greece, Portugal, Spain, Turkey and Malta;

Whereas the situation which led to the introduction of the said surveillance system still exists; whereas that system should therefore remain in force;

Whereas, in the interests of clarity and administrative efficiency, the provisions previously adopted should be consolidated in a single act, incorporating all necessary amendments,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January 1980, entry into free circulation in the Community of the products set out in the Annex and originating in the countries indicated therein is hereby made subject to Community surveillance in accordance with the procedures laid down in Articles 7, 8 and 11 of Regulation (EEC) No 926/79.

Article 2

The products to which Article 1 applies may be put into free circulation in a Member State only on production of an import document. This document shall be issued or endorsed by a competent authority

⁽¹⁾ OJ No L 131, 29. 5. 1979, p. 15.

⁽²⁾ OJ No L 155, 13. 6. 1978, p. 12.

⁽³⁾ OJ No L 280, 9. 11. 1979, p. 13.

of the Member State of importation free of charge, for the quantities requested and within a maximum of five working days following the submission of a declaration or application by a Community importer and shall be valid for three months from the date of issue.

Article 3

The declaration or application by the importer to the competent authority of the Member State for issue of an import document shall state:

- name and address of importer and exporter,
- relevant product category number as specified in column 1 of the Annex,
- the heading or subheading as specified in column 2 of the Annex,
- country of origin,
- quantity of products in the unit specified in column 5 of the Annex for the category concerned,
- an indication, if known, of the date proposed for importation,
- whether the goods are to be reimported into the Community after outward processing,

and shall be accompanied by a certified copy of the bill of lading, letter of credit, contract or any other commercial document indicating a firm intention to carry out the importation.

Article 4

Pursuant to Article 11 of Regulation (EEC) No 926/79:

- (a) Member States shall communicate to the Commission within 10 days after the end of each month the quantities or products in respect of which import documents were issued or endorsed during such month, broken down by country of origin and category and in the units specified in the Annex. Products to be reimported into the Community after outward processing shall be indicated separately;
- (b) Member States shall communicate to the Commission within 30 days after the end of each month

the quantities of the products to which Article 1 applies imported during such month, broken down by country of origin, and NIMEXE code and in the units specified in the Annex. Such communication shall indicate separately the quantities put into free circulation, the quantities imported for inward processing and the quantities reimported into the Community after outward processing.

Article 5

Commission Regulation (EEC) No 1251/79 is hereby repealed.

Article 6

This Regulation shall enter into force on 1 January 1980 and shall apply until 31 December 1980.

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

Done at Brussels, 11 December 1979.

For the Commission

Wilhelm HAFERKAMP

Vice-President

15. 12. 79

Official Journal of the European Communities

No L 320/11

ANNEX

Category	CCT heading No	NIMEXE code (1980)	Description	Units	Third countries
1	55.05	55.05-13; 19; 21; 25; 27; 29; 33; 35; 37; 41; 45; 46; 48; 52; 58; 61; 65; 67; 69; 72; 78; 92; 98	Cotton yarn, not put up for retail sale	Tonnes	Egypt Spain Greece Turkey Portugal Malta
2	55.09	55.09-01; 02; 03; 04; 05; 11; 12; 13; 14; 15; 16; 17; 19; 21; 29; 31; 33; 35; 37; 38; 39; 41; 49; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 68; 69; 70; 71; 72; 73; 74; 76; 77; 78; 81; 82; 83; 84; 86; 87; 92; 93; 97	Other woven fabrics of cotton : Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics	Tonnes	Spain Greece Turkey Portugal Malta
3	56.07 A	56.07-01; 04; 05; 07; 08; 11; 13; 14; 16; 17; 18; 21; 23; 24; 26; 27; 28; 32; 33; 34; 36	Woven fabrics of man-made fibres (discontinuous or waste) : A. Of synthetic textile fibres : Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics	Tonnes	Spain Greece Portugal Malta
4	60.04 B I II a) b) c) IV b) 1 aa) dd) 2 ee) d) 1 aa) dd) 2 dd)	60.04-19; 20; 22; 23; 24; 26; 41; 50; 58; 71; 79; 89	Under garments, knitted or crocheted, not elastic or rubberized : Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, under-vests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres ; T-shirts and lightweight fine knit roll, polo or turtle necked jumpers and pullovers of regenerated textile fibres, other than babies' garments	1 000 pieces	Spain Greece Turkey Portugal Malta
5	60.05 A I II b) 4 bb) 11 aaa) bbb) ccc) ddd) 22 bbb) ccc) ddd) eee)	60.05-01; 27; 28; 29; 30; 33; 36; 37; 38	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : Jerseys, pullovers, slip-overs, waistcoats, twin-sets, cardigans, bed-jackets and jumpers, knitted or crocheted, not elastic or rubberized, of wool, of cotton or of man-made textile fibres	1 000 pieces	Spain Greece Portugal Malta
6	61.01 B V d) 1 2 3 e) 1 2 3 61.02 B II e) 6 aa) bb) cc)	61.01-62; 64; 66; 72; 74; 76 61.02-66; 68; 72	Men's and boys' outer garments : Women's girls' and infants' outer garments : B. Other : Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres	1 000 pieces	Spain Greece Portugal Malta

Category	CCT heading No	NIMEXE code (1980)	Description	Units	Third countries
7	60.05 A II b 4 aa) 22 33 44 55 61.02 B II e) 7 bb) cc) dd)	60.05-22 ; 23 ; 24 ; 25 61.02-78 ; 82 ; 84	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other Women's girls, and infants' outer garments : B. Other : Blouses and shirt-blouses, knitted, crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres	1 000 pieces	Greece Turkey Portugal Malta
8	61.03 A	61.03-11 ; 15 ; 19	Men's and boys' under garments, including collars, shirt fronts and cuffs : Men's and boy's shirts, woven, of wool, of cotton or of man-made textile fibres	1 000 pieces	Portugal Malta
9 (¹)	55.08 62.02 B III a) 1	55.08-10 ; 30 ; 50 ; 80 ; 62.02-71	Terry towelling and similar terry fabrics of cotton : Bed linen, table linen, toilet linen and kitchen linen ; curtains, and other furnishing articles : B. Other : Woven cotton terry fabrics ; toilet and kitchen linen of woven cotton terry fabrics	Tonnes	Portugal
12	60.03 A B I II b) C D	60.03-11 ; 19 ; 20 ; 27 ; 30 ; 90	Stockings, under stockings, socks, ankle-socks, sockettes, and the like, knitted or crocheted, not elastic or rubberized : Other than women's stockings of synthetic textile fibres	1 000 pieces	Spain
13	60.04 B IV b) 1 cc) 2 dd) d) 1 cc) 2 cc)	60.04-48 ; 56 ; 75 ; 85	Under garments, knitted or crocheted, not elastic or rubberized : Men's and boys' underpants and briefs, women's, girls' and infants' (other than babies) knickers and briefs, knitted or crocheted, not elastic or rubberized, of cotton or synthetic textile fibres	1 000 pieces	Spain Greece
16	61.01 B V c) 1 2 3	61.01-51 ; 54 ; 57	Men's and boys' outer garments : Men's and boys' woven suits (including coordinate suits consisting of two or three pieces, which are ordered, packed, consigned and normally sold together), of wool, of cotton or of man-made textile fibres, excluding ski suits	1 000 pieces	Greece
19	61.05 B I III	61.05-30 ; 99	Handkerchiefs : B. Other : Handkerchiefs of woven fabric, of a value of not more than 15 EUA/kg net weight	Tonnes	Portugal

(¹) Community surveillance shall only apply to products falling under NIMEXE code 62.02-71 in category 9.

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Category	CCT heading No	NIMEXE code (1980)	Description	Units	Third countries
20	62.02 B I a) c)	62.02-11 ; 19	Bed linen, table linen, toilet linen and kitchen linen ; curtains and other furnishing articles : B. Other : Bed linen, woven	Tonnes	Spain Greece Portugal
22	56.05 A	56.05-03 ; 05 ; 07 ; 09 ; 11 ; 13 ; 15 ; 19 ; 21 ; 23 ; 25 ; 28 ; 32 ; 34 ; 36 ; 38 ; 39 ; 42 ; 44 ; 45 ; 46 ; 47	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale : A. Of synthetic textile fibres : Yarn of discontinuous or waste synthetic fibres, not put up for retail sale	Tonnes	Spain Greece
23	56.05 B	56.05-51 ; 55 ; 61 ; 65 ; 71 ; 75 ; 81 ; 85 ; 91 ; 95 ; 99	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale : B. Of regenerated textile fibres : Yarn of discontinuous or waste regenerated fibres, not put up for retail sale	Tonnes	Spain
25	60.04 B IV b) 2 aa) bb) d) 2 aa) bb)	60.04-51 ; 53 ; 81 ; 83	Under garments, knitted or crocheted, not elastic or rubberized : Women's, girls' and infants' (other than babies') knitted or crocheted pyjamas and night dresses, of cotton or synthetic fibres	1 000 pieces	Spain
26	60.05 - A II b) 4 cc) 11 22 33 44 61.02 B II e) 4 bb) cc) dd) ee)	60.05-41 ; 42 ; 43 ; 44 61.02-48 ; 52 ; 53 ; 54	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other Women's, girls' and infants' outer garments : B. Other : Women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses, of wool, of cotton or of man-made textile fibres	1 000 pieces	Greece Turkey
27	60.05 A II b) 4 dd) 61.02 B II e) 5 aa) bb) cc)	60.05-51 ; 52 ; 54 ; 58 61.02-57 ; 58 ; 62	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other Women's, girls' and infants' outer garments : B. Other : Women's, girls' and infants' (other than babies') woven and knitted or crocheted skirts, including divided skirts	1 000 pieces	Greece

Category	CCT heading No	NIMEXE code (1980)	Description	Units	Third countries
28	60.05 A II b) 4 ee)	60.05-61 ; 62 ; 64	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other : Knitted or crocheted trousers (except shorts) other than babies'	1 000 pieces	Spain Greece
30 A	61.04 B I	61.04-11 ; 13 ; 18	Women's girls' and infants' under garments : Women's, girls' and infants' woven pyjamas and night dresses, of wool, of cotton or of man-made textile fibres	1 000 pieces	Malta
31	61.09 D	61.09-50	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabrics) whether or not elastic : Brassières, woven, knitted or crocheted	1 000 pieces	Spain Greece
33	51.04 A III a) 62.03 B II b) 1	51.04-06 62.03-96	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip falling within heading No 51.01 or 51.02 : A. Woven fabrics of synthetic textile fibres : Sacks and bags, of a kind used for the packing of goods : B. Of other textile materials : II. Other : Woven fabrics of strip or the like of polyethylene or polypropylene, less than 3 m wide ; woven sacks of such strip or the like	Tonnes	Portugal
39	62.02 B II a) c) III a) 2 c)	62.02-41 ; 43 ; 47 ; 65 ; 73 ; 77	Bed linen, table linen, toilet linen and kitchen linen ; curtains and other furnishing articles : B. Other : Woven table linen, toilet and kitchen linen, other than of cotton terry fabric	Tonnes	Portugal
76	61.01 B I 61.02 B II a)	61.01-13 ; 15 ; 17 ; 19 61.02-12 ; 14	Men's and boys' outer garments : Women's, girls' and infants' outer garments : B. Other : Men's and boys' woven industrial and occupational clothing ; women's, girls' and infants' woven aprons, smock-overalls and other industrial and occupational clothing (whether or not also suitable for domestic use), of wool, of cotton or of man-made textile fibres	1 000 pieces	Malta
90	ex 59.04	59.04-11 ; 13 ; 15 ; 17 ; 18	Twine, cordage, ropes and cables, plaited or not : Twine, cordage, ropes and cables, of synthetic textile fibres, plaited or not	Tonnes	Portugal

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No L 320/15

Category	CCT heading No	NIMEXE code (1980)	Description	Units	Third countries
101	ex 59.04	59.04-80	Twine, cordage, ropes and cables, plaited or not : Other than of synthetic textile fibres	Tonnes	Portugal
121	ex 59.04	59.04-60	Twine, cordage, ropes and cables plaited or not : Twine, cordage, ropes and cables, plaited or not, of flax or ramie	Tonnes	Portugal
145 A	ex 59.04	59.04-20	Twine, cordage, ropes and cables, plaited or not : — Of abaca (Manila hemp)	Tonnes	Portugal
145 B	ex 59.04	59.04-50	Twine, cordage, ropes and cables, plaited or not : — Of true hemp	Tonnes	Portugal
146 A	ex 59.04	59.04-31	Twine, cordage, ropes and cables, plaited or not : — Binder and baler twine for agricultural machines, of sisal and other fibres of the Agave family	Tonnes	Portugal
146 B	ex 59.04	59.04-35 ; 38	Twine, cordage, ropes and cables, plaited or not : — Of sisal and other fibres of the Agave family, other than those falling within category 146 A	Tonnes	Portugal
146 C	ex 59.04	59.04-70	Twine, cordage, ropes and cables, plaited or not : — Of jute or other textile bast fibres included in category 154	Tonnes	Portugal
	60.04	60.04-02 ; 03 ; 04 ; 06 ; 07 ; 08 ; 09 ; 10 ; 11 ; 12 ; 14 ; 16 ; 19 ; 20 ; 22 ; 23 ; 24 ; 26 ; 29 ; 31 ; 33 ; 34 ; 38 ; 41 ; 47 ; 48 ; 50 ; 51 ; 53 ; 54 ; 56 ; 58 ; 60 ; 71 ; 73 ; 75 ; 79 ; 81 ; 83 ; 85 ; 89 ; 90	Under garments, knitted or crocheted, not elastic or rubberized	Tonnes	Portugal
	60.05	60.05-01 ; 04 ; 06 ; 07 ; 08 ; 09 ; 11 ; 13 ; 15 ; 16 ; 17 ; 19 ; 21 ; 22 ; 23 ; 24 ; 25 ; 26 ; 27 ; 28 ; 29 ; 30 ; 31 ; 32 ; 33 ; 36 ; 37 ; 38 ; 39 ; 41 ; 42 ; 43 ; 44 ; 49 ; 51 ; 52 ; 54 ; 58 ; 61 ; 62 ; 64 ; 66 ; 68 ; 71 ; 72 ; 73 ; 74 ; 75 ; 76 ; 77 ; 78 ; 79 ; 80 ; 81 ; 83 ; 85 ; 87 ; 88 ; 89 ; 91 ; 92 ; 93 ; 94 ; 95 ; 96 ; 97 ; 98 ; 99	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	Tonnes	Portugal
	61.01	61.01-01 ; 09 ; 13 ; 15 ; 17 ; 19 ; 22 ; 23 ; 24 ; 25 ; 26 ; 29 ; 31 ; 32 ; 34 ; 36 ; 37 ; 38 ; 41 ; 42 ; 44 ; 46 ; 47 ; 48 ; 51 ; 54 ; 57 ; 58 ; 62 ; 64 ; 66 ; 68 ; 72 ; 74 ; 76 ; 78 ; 81 ; 89 ; 92 ; 95 ; 96 ; 98	Men's and boys' outer garments	Tonnes	Portugal
	61.02	61.02-01 ; 03 ; 05 ; 07 ; 12 ; 14 ; 16 ; 18 ; 22 ; 23 ; 24 ; 25 ; 26 ; 28 ; 31 ; 32 ; 33 ; 34 ; 35 ; 36 ; 37 ; 39 ; 40 ; 41 ; 42 ; 43 ; 44 ; 45 ; 47 ; 48 ; 52 ; 53 ; 54 ; 55 ; 57 ; 58 ; 62 ; 64 ; 66 ; 68 ; 72 ; 74 ; 76 ; 78 ; 82 ; 84 ; 85 ; 87 ; 90 ; 91 ; 92 ; 94	Women's, girls' and infants' outer garments	Tonnes	Portugal
	61.03	61.03-11 ; 15 ; 19 ; 51 ; 55 ; 59 ; 81 ; 85 ; 89	Men's and boys' under garments, including collars, shirt fronts and cuffs	Tonnes	Portugal
	62.02	62.02-01 ; 09 ; 11 ; 15 ; 19 ; 41 ; 43 ; 47 ; 61 ; 65 ; 71 ; 73 ; 75 ; 77 ; 81 ; 87 ; 89	Bed linen, table linen, toilet linen and kitchen linen ; curtains and other furnishing articles	Tonnes	Portugal

COUNCIL REGULATION (EEC) No 2929/79
of 18 December 1979

totally or partially suspending Common Customs Tariff duties on certain products, falling within Chapters 1 to 24 of the Common Customs Tariff, originating in Malta (1980)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas, under Annex I to the Agreement establishing an Association between the European Economic Community and Malta⁽²⁾, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in the Annex to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 1059/69 or the customs duty applicable to the other products from 1 January to 31 December 1980 and at the levels indicated for each of them,

HAS ADOPTED THIS REGULATION

Article 1

1. From 1 January until 31 December 1980, the products originating in Malta listed in the Annex shall be admitted for import into the Community at the customs duties indicated for each of them.
2. For the purposes of the application of this Regulation, the rules of origin shall be those in force at the

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ GEN I 1

time as regards the implementation of the Agreement establishing an Association between the European Economic Community and Malta.

Article 2

When products benefiting from the arrangements provided for in Article 1 are imported in the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual or potential serious disadvantage in a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide, by means of a Regulation, to reintroduce the levying of customs duties for a limited period.
2. In the event of such action being requested by a Member State, the Commission shall take a decision within a period of not more than 10 working days from receipt of the request and shall inform the Member States of the action taken.
3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1980.

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

Done at Brussels, 18 December 1979.

For the Council

The President

B. LENIHAN

ANNEX

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04 fresh, chilled or frozen : A. Meat : III. Of swine : b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen : ex A. Of domestic pigeons ex B. Furred game, frozen C. Other : ex I. Frogs' legs II. Other	7 % Free Free Free
04.06	Natural honey	25 %
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material : B. Other	Free
07.01	Vegetables, fresh or chilled : ex T. Other : — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (drumsticks)	Free
08.08	Berries, fresh : F. Other	6 %
15.10	Fatty acids, acid oils from refining; fatty alcohols : C. Other fatty acids; acid oils from refining	Free
16.02	Other prepared or preserved meat or meat offal : A. Liver : I. Goose or duck liver B. Other : II. Game or rabbit meat or offal : — Game — Rabbit	14 % 9 % 14 %

28. 12. 79

Official Journal of the European Communities

No L 334/5

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>6. Other fruit and vegetable juices, excluding apricot and peach juices :</p> <p>ex aa) Containing added sugar :</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>ex bb) Other :</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>7. Mixtures :</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice :</p> <ul style="list-style-type: none"> 11. Containing added sugar 22. Other <p>b) Of a value of 30 EUA or less per 100 kg net weight :</p> <p>2. Grapefruit juice :</p> <ul style="list-style-type: none"> aa) With an added sugar content exceeding 30 % by weight bb) Other <p>4. Other citrus fruit juices :</p> <ul style="list-style-type: none"> aa) With an added sugar content exceeding 30 % by weight bb) With an added sugar content of 30 % or less by weight cc) Not containing added sugar <p>7. Other fruit and vegetable juices, excluding apricot and peach juice :</p> <p>ex aa) With an added sugar content exceeding 30 % by weight :</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices 	<p>10 %</p> <p>17 %</p> <p>10 %</p> <p>18 %</p> <p>17 %</p> <p>18 %</p> <p>8 % + (L)</p> <p>8 %</p> <p>14 % + (L)</p> <p>14 %</p> <p>15 %</p> <p>10 % + (L)</p> <p>17 % + (L)</p>

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>ex bb) With an added sugar content of 30 % or less by weight :</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>ex cc) Not containing added sugar :</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>8. Mixtures :</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice :</p> <ul style="list-style-type: none"> 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar 	<p>10 %</p> <p>17 %</p> <p>10 %</p> <p>18 %</p> <p>17 % + (L)</p> <p>17 %</p> <p>18 %</p>
21.06	<p>Natural yeasts (active or inactive); prepared baking powders :</p> <p>A. Active natural yeast :</p> <p>II. Baker's yeast :</p> <ul style="list-style-type: none"> a) Dried b) Other 	<p>5 % + vc</p> <p>5 % + vc</p>
23.01	<p>Flours and meal, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption ; greaves :</p> <p>B. Flours and meals of fish, crustaceans or molluscs</p>	<p>Free</p>

Abbreviations.

(L) = levy.

vc = variable component.

COMMISSION REGULATION (EEC) No 3044/79
of 21 December 1979
amending Regulation (EEC) No 2819/79 as regards certain textile products originating in Malta

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 926/79 of 8 May 1979 on common rules for imports⁽¹⁾, and in particular Article 7 thereof,

After consulting the Advisory Committee set up by Article 5 of Regulation (EEC) No 926/79,

Whereas Commission Regulation (EEC) No 2819/79 makes imports of certain textile products originating in certain non-member countries subject to Community surveillance,

Whereas by Regulation (EEC) No 2459/79 of 6 November 1979 the Commission established Community surveillance of imports of certain textile products originating in Malta; whereas the said Regulation expired on 31 December 1979;

Whereas a system of administrative cooperation has been introduced between the European Economic

Community and Malta with regard to trade in certain textile products;

Whereas in order to make such administrative cooperation effective it is necessary to reintroduce the measures provided for in the abovementioned Regulation (EEC) No 2459/79,

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the other provisions of Regulation (EEC) No 2819/79 the import document referred to in Article 2 of that Regulation shall be issued or endorsed only on presentation of an export licence issued and endorsed by the competent Maltese authorities and of which a specimen is annexed hereto.

Article 2

This Regulation shall enter into force on 1 January 1980.

It shall apply until 31 December 1980.

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

Done at Brussels, 21 December 1979.

For the Commission
Wilhelm HAFERKAMP
Vice-President

⁽¹⁾ OJ No L 131, 29. 5. 1979, p. 15.

COMMISSION REGULATION (EEC) No 3115/80

of 27 November 1980

extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 3045/79, (EEC) No 3046/79 and (EEC) No 1782/80 on Community surveillance of imports of certain textile products originating respectively in Malta, Spain, Portugal and Egypt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 926/79 of 8 May 1979 on common rules for imports⁽¹⁾, and in particular Article 7 thereof,

Having regard to the opinion of the Advisory Committee set up by Article 5 of the above Regulation,

Whereas Commission Regulation (EEC) No 2819/79⁽²⁾, the period of validity of which was extended by Regulation (EEC) No 2936/80⁽³⁾, makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas by Regulations (EEC) No 3044/79⁽⁴⁾, (EEC) No 3045/79⁽⁵⁾, (EEC) No 3046/79⁽⁶⁾, and (EEC) No 1782/80⁽⁶⁾, the Commission established Community surveillance of imports of certain textile products origi-

nating respectively in Malta, Spain, Portugal and Egypt; whereas those Regulations expire on 31 December 1980;

Whereas the reasons that justified the introduction of the above Regulations are still valid; whereas the said Regulations should therefore be extended for an additional period,

HAS ADOPTED THIS REGULATION:

Article 1

Community surveillance of imports of certain textile products originating in Malta, Spain, Portugal and Egypt established respectively by Regulations (EEC) No 3044/79, (EEC) No 3045/79, (EEC) No 3046/79 and (EEC) No 1782/80 is hereby extended until 31 December 1981.

Article 2

This Regulation shall enter into force on 1 January 1981 and shall apply until 31 December 1981.

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

Done at Brussels, 27 November 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 131, 29. 5. 1979, p. 15.

⁽²⁾ OJ No L 320, 15. 12. 1979, p. 9.

⁽³⁾ OJ No L 305, 14. 11. 1980, p. 12.

⁽⁴⁾ OJ No L 343, 31. 12. 1979, p. 11.

⁽⁵⁾ OJ No L 343, 31. 12. 1979, p. 12.

⁽⁶⁾ OJ No L 174, 9. 7. 1980, p. 16.

**COUNCIL REGULATION (EEC) No 3508/80
of 22 December 1980**

**extending the term of validity of the arrangements applicable to trade with Malta beyond
31 December 1980**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the provisions governing the first stage of the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾, including the Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta ⁽²⁾ and the Additional Protocol to the agreement establishing an association between the European Economic Community and Malta ⁽³⁾, expire on 31 December 1980;

Whereas it has not been possible, within the time limit laid down, to hold negotiations to determine the trade arrangements with Malta after 31 December 1980;

Whereas, pending the completion of such negotiations, the arrangements which the Community

applies to trade with Malta under the association with that country should be extended so as to avoid the sudden disruption of certain traditional trade patterns,

HAS ADOPTED THIS REGULATION:

Article 1

The trade arrangements provided for in the Agreement establishing an association between the European Economic Community and Malta, including the Protocol laying down certain provisions relating to this Agreement, and the Additional Protocol to that Agreement, shall remain applicable in the Community until 30 June 1981.

Article 2

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

It shall apply with effect from 1 January 1981.

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

Done at Brussels, 22 December 1980.

For the Council

The President

J. SANTER

⁽¹⁾ GEN I 1
⁽²⁾ GEN I 79
⁽³⁾ GEN I 160

COUNCIL REGULATION (EEC) No 3517/80

of 22 December 1980

establishing ceilings and Community surveillance of imports of certain products originating in Malta (1981)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the provisions of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta (1) will lapse on 31 December 1980;

Whereas, pending the entry into force of a new Protocol, it is necessary on the basis of Regulation (EEC) No 3508/80, to extend until 30 June 1981 the arrangements which the Community applies to trade with Malta within the context of the Association with that country;

Whereas the abovementioned Additional Protocol makes provision for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas, however, for a number of products exemption from duties is subject to ceilings above which the customs duties applicable to third countries may be reintroduced; whereas the ceilings to be applied in the first half of 1981 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Malta; whereas it is therefore desirable that imports of these products be subjected to a system of surveillance;

Whereas, since a Protocol as provided for in Article 118 of the 1979 Act of Accession does not exist, the Community must adopt the measures referred to in Article 119 of that Act; whereas the tariff measure concerned will, therefore, apply to the Community of Nine;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products

are entered with customs authorities for home use; whereas this administrative procedure must make provision for the possibility of customs tariff duties being reintroduced as soon as the ceilings are reached at Community level;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 30 June 1981, imports into the Community of Nine of the products listed in the Annex originating in Malta shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, their tariff headings and statistical numbers and the ceilings shall be as set out in the Annex.

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

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

(1) GEN I 160

(2) GEN I 79

31. 12. 80

Official Journal of the European Communities

No L 370/13

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

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

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

4. Member States shall forward to the Commission not later than the 15th day of each month statements

of the quantities charged during the preceding month. If the Commission so requests, they shall provide such statements for periods of 10 days and forward them within five clear days of the end of each 10-day period.

Article 2

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

Article 3

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, 22 December 1980.

For the Council

The President

J. SANTER

ANNEX

List of products subject to import ceilings in 1981

Serial No	CCT heading No	Description	NIMEXE code (1980)	Level of ceiling (tonnes)
1	2	3	4	5
I M 1	55.05	Cotton yarn, not put up for retail sale	55.05- all Nos	729
I M 2	55.09	Other woven fabrics of cotton	55.09- all Nos	60
I M 3	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04- all Nos	486
I M 4	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	60.05- all Nos	131
I M 5	61.01	Men's and boys' outer garments	61.01- all Nos	495

COUNCIL REGULATION (EEC) No 3527/80

of 22 December 1980

totally or partially suspending Common Customs Tariff duties on certain products falling within Chapters 1 to 24 of the Common Customs Tariff and originating in Malta (1981)

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

Having regard to the proposal from the Commission,

Whereas, under Annex I to the Agreement establishing an Association between the European Economic Community and Malta ⁽²⁾, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in the Annex to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 3033/80 or the customs duty applicable to the other products from 1 January to 31 December 1981 and at the levels indicated for each of them,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1981, the products originating in Malta listed in the Annex shall be admitted for import into the Community at the customs duties indicated for each of them.

Greece shall apply customs duties calculated in accordance with Article 117 of the 1979 Act of Accession ⁽³⁾.

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ GEN I 1

⁽³⁾ OJ No L 291, 19. 11. 1979, p. 45.

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

Article 2

When products benefiting from the arrangements provided for in Article 1 are imported in the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual or potential serious disadvantage in a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide, by means of a Regulation, to re-introduce the levying of customs duties for a limited period.

2. In the event of such action being requested by a Member State, the Commission shall take a decision within a period of not more than 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1981.

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

Done at Brussels, 22 December 1980.

For the Council

The President

J. SANTER

ANNEX

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04 fresh, chilled or frozen: A. Meat: III. Of swine: b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen: ex A. Of domestic pigeons ex B. Furred game, frozen C. Other: ex. I. Frogs' legs II. Other	7 % Free Free Free
04.06	Natural honey	25 %
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material: B. Other	Free
07.01	Vegetables, fresh or chilled: ex T. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (drumsticks)	Free
08.08	Berries, fresh: F. Other	6 %
15.10	Fatty acids, acid oils from refining; fatty alcohols: C. Other fatty acids; acid oils from refining	Free
16.02	Other prepared or preserved meat or meat offal: A. Liver: I. Goose or duck liver B. Other: II. Game or rabbit meat or offal: — Game — Rabbit	14 % 9 % 14 %

CCP heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>B. II. a) 3. ex bb) Other — excluding lemon juices</p> <p>6. Other fruit and vegetable juices, excluding apricot and peach juices:</p> <p>ex aa) Containing added sugar:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>ex bb) Other:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>7. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p> <p>11. Containing added sugar</p> <p>22. Other</p> <p>b) Of a value of 30 EUA or less per 100 kg net weight:</p> <p>2. Grapefruit juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) Other</p> <p>4. Other citrus fruit juices:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) With an added sugar content of 30 % or less by weight</p> <p>cc) Not containing added sugar</p> <p>7. Other fruit and vegetable juices, excluding apricot and peach juice:</p> <p>ex aa) With an added sugar content exceeding 30 % by weight:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p>	<p>13 %</p> <p>9 %</p> <p>17 %</p> <p>9 %</p> <p>18 %</p> <p>17 %</p> <p>18 %</p> <p>8 % + (L)</p> <p>8 %</p> <p>14 % + (L)</p> <p>14 %</p> <p>15 %</p> <p>9 % + (L)</p> <p>17 % + (L)</p>

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>B. II. b) 7. ex bb) With an added sugar content of 30 % or less by weight:</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>ex cc) Not containing added sugar:</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>8. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p> <ul style="list-style-type: none"> 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar 	<p>9 %</p> <p>17 %</p> <p>9 %</p> <p>18 %</p> <p>17 % + (L)</p> <p>17 %</p> <p>18 %</p>
21.06	<p>Natural yeasts (active or inactive); prepared baking powders:</p> <p>A. Active natural yeast:</p> <p>II. Baker's yeast:</p> <ul style="list-style-type: none"> a) Dried b) Other 	<p>5 % + vc</p> <p>5 % + vc</p>
23.01	<p>Flours and meal, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves:</p> <p>B. Flours and meals of fish, crustaceans or molluscs</p>	<p>Free</p>

Abbreviations:

(L) = levy,

vc = variable component.

COUNCIL REGULATION (EEC) No 3555/80
of 16 December 1980

determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having regard to the proposal from the Commission,

Whereas the situation envisaged in Article 119 of the 1979 Act of Accession exists with regard to the Agreements between the European Economic Community and Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia and Turkey respectively; whereas, under the said Article 119, the Community is therefore required to take the necessary measures to deal with this situation after accession; whereas, to that end, imports into Greece originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey should be made subject, pending the conclusion of the Protocols referred to in Article 118 of the Act of Accession, to the general rules governing Greece's imports of goods originating in third countries,

Article 1

As from 1 January 1981, imports into Greece originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey shall be subject to the tariff treatment applied to third countries enjoying most-favoured-nation treatment and to the common rules for imports in accordance with the 1979 Act of Accession, and in particular Articles 31 and 115 thereof.

Article 2

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

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

Done at Brussels, 16 December 1980.

For the Council

The President

Colette FLESCH

COUNCIL REGULATION (EEC) No 1471/81

of 19 May 1981

suspending the application of ceilings established by Regulation (EEC) No 3517/80 for imports of certain products originating in Malta

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, pursuant to Article 2 of Annex I to the Agreement establishing an association between the European Economic Community and Malta, the Community has, by Regulation (EEC) No 3517/80, established the ceilings applicable in 1981 to imports of certain products originating in Malta; whereas that Article provides that if, for two successive years, imports of a product subject to a ceiling are less than 90% of the amount fixed, the Community shall suspend the application of this ceiling;

Whereas the Communities' statistical summaries for 1979 and 1980 show that imports of certain products which are subject to ceilings did not, during those years, reach 90% of the ceilings indicated; whereas, therefore, the Community should suspend application of the ceilings valid for imports of the products in question from 1 January 1981; whereas, however, it is

desirable to follow the development of these imports by means of statistical surveillance,

HAS ADOPTED THIS REGULATION:

Article 1

The application of the ceilings established by Article 1 (1) of Regulation (EEC) No 3517/80 shall be suspended from 1 January 1981 for imports of cotton yarn, not put up for retail sale, falling within heading No 55.05 of the Common Customs Tariff and of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, listed under Serial Nos I M 1 and I M 3 in the Annex to the said Regulation.

These imports shall remain under Community surveillance.

Article 2

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

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

Done at Brussels, 19 May 1981.

For the Council

The President

D. F. van der MEI

7. 7. 81

Official Journal of the European Communities

No L 185/1

COUNCIL REGULATION (EEC) No 1853/81**of 30 June 1981****amending Regulation (EEC) No 3508/80 extending the terms of validity of the arrangements applicable to trade with Malta beyond 31 December 1980**

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, on the basis of Regulation (EEC) No 3508/80, the arrangements applicable to trade with Malta have been extended beyond 31 December 1980 until 30 June 1981;

Whereas the conditions justifying this extension still exist; whereas the period of validity of the said Regulation should therefore be extended,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3508/80, '30 June 1981' shall be replaced by '31 December 1981'.

Article 2

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

It shall apply with effect from 1 July 1981.

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

Done at Brussels, 30 June 1981.

For the Council

The President

Ch. A. van der KLAAUW

COUNCIL REGULATION (EEC) No 1854/81

of 30 June 1981

amending Regulation (EEC) No 3517/80 establishing ceilings for and Community surveillance of imports of certain products originating in Malta (1981)

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, on the basis of Council Regulation (EEC) No 3508/80 of 22 December 1980 extending the term of validity of the arrangements applicable to trade with Malta beyond 31 December 1980, the Council adopted Regulation (EEC) No 3517/80;

Whereas Regulation (EEC) No 3517/80 is valid until 30 June 1981; whereas the ceilings established therein are equal to 50 % of the annual ceilings provided for in the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta (1);

Whereas the period of validity of Regulation (EEC) No 3508/80 was extended until 31 December 1981 by Council Regulation (EEC) No 1853/81; whereas it is therefore necessary to extend the period of validity of Regulation (EEC) No 3517/80 to the same date and to increase the ceilings fixed therein to the annual ceilings provided for in the abovementioned Additional Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3517/80 is hereby amended as follows:

1. In Article 1 (1), '30 June 1981' shall be replaced by '31 December 1981'.
2. The Annex shall be replaced by the following:

ANNEX

List of products subject to import ceilings in 1981

Serial No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I M 1	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos	1 458 (suspended)
I M 2	55.09	Other woven fabrics of cotton	55.09-all Nos	120
I M 3	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04-all Nos	972 (suspended)
I M 4	60.05	Outer garments and other articles, knitted or crocheted, not elastic	60.05-all Nos	262
I M 5	61.01	Men's and boys' outer garments	61.01-all Nos	991'

(1) GEN I 160

7. 7. 81

Official Journal of the European Communities

No L 185/3

Article 2

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

It shall apply with effect from 1 July 1981.

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

Done at Brussels, 30 June 1981.

For the Council

The President

Ch. A. van der KLAUW

COMMISSION REGULATION (EEC) No 3357/81

of 23 November 1981

extending the period of applicability of Regulation (EEC) No 2819/79 making the imports of certain textile products from certain third countries subject to Community surveillance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 926/79 of 8 May 1979 on common rules for imports ⁽¹⁾, and in particular Article 7 thereof,

Having consulted the Advisory Committee set up under Article 5 of the said Regulation,

Whereas, by Commission Regulation (EEC) No 2819/79, as extended by Regulation (EEC) No 2936/80 and modified by Regulation (EEC) No 1656/81 ⁽²⁾, the Commission made the import of certain textile products from certain non-member countries subject to Community surveillance;

Whereas the reasons which justified the introduction of these measures in respect of imports from the Mediterranean countries which had signed Agreements establishing preferential arrangements with the

Community, namely Egypt, Malta, Portugal, Spain and Turkey, still exist; whereas those measures should therefore remain in force,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2819/79 is hereby extended until 31 December 1982.

Article 2

This Regulation shall enter into force on 1 January 1982 and shall apply until 31 December 1982.

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

Done at Brussels, 23 November 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 131, 29. 5. 1979, p. 15.

⁽²⁾ OJ No L 165, 23. 6. 1981, p. 8.

**COUNCIL REGULATION (EEC) No 3670/81
of 15 December 1981**

**amending Regulation (EEC) No 3508/80 extending the term of validity of the
arrangements applicable to trade with Malta beyond 31 December 1980**

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, Regulation (EEC) No 3508/80, as
amended by Regulation (EEC) No 1853/81, has
extended the arrangements applicable to trade with
Malta until 31 December 1981;

Whereas the conditions justifying this extension still
exist; whereas the period of validity of the said Regula-
tion should therefore be extended,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3508/80, '31
December 1981' is hereby replaced by '30 June 1982'.

Article 2

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

It shall apply with effect from 1 January 1982.

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

Done at Brussels, 15 December 1981.

For the Council

The President

D. HOWELL

**COMMISSION REGULATION (EEC) No 3785/81
of 23 December 1981**

extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 3045/79, (EEC) No 3046/79 and (EEC) No 1782/80 on Community surveillance of imports of certain textile products originating respectively in Malta, Spain, Portugal and Egypt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 926/79 of 8 May 1979 on common rules for imports⁽¹⁾, and in particular Article 7 thereof,

Having regard to the opinion of the Advisory Committee set up by Article 5 of the above Regulation,

Whereas Commission Regulation (EEC) No 2819/79, the period of validity of which was last extended by Regulation (EEC) No 3357/81, makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas by Regulations (EEC) No 3044/79, (EEC) No 3045/79⁽²⁾, (EEC) No 3046/79⁽³⁾, and (EEC) No 1782/80⁽⁴⁾, the Commission established Community surveillance of imports of certain textile products originating respectively in Malta, Spain, Portugal and

Egypt; whereas those Regulations expire on 31 December 1981;

Whereas the reasons that justified the introduction of the above Regulations are still valid; whereas the said Regulations should therefore be extended for an additional period,

HAS ADOPTED THIS REGULATION:

Article 1

Community surveillance of imports of certain textile products originating in Malta, Spain, Portugal and Egypt established respectively by Regulations (EEC) No 3044/79, (EEC) No 3045/79, (EEC) No 3046/79 and (EEC) No 1782/80 is hereby extended until 31 December 1982.

Article 2

This Regulation shall enter into force on 1 January 1982 and shall apply until 31 December 1982.

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

Done at Brussels, 23 December 1981.

For the Commission

Étienne DAVIGNON

Vice-President

⁽¹⁾ OJ No L 131, 29. 5. 1979, p. 15.

⁽²⁾ OJ No L 343, 31. 12. 1979, p. 11.

⁽³⁾ OJ No L 343, 31. 12. 1979, p. 12.

⁽⁴⁾ OJ No L 174, 9. 7. 1980, p. 16.

COUNCIL REGULATION (EEC) No 3804/81**of 21 December 1981****establishing ceilings and Community surveillance of imports of certain products originating in Malta (1982)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES

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

Having regard to the proposal from the Commission,

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

Whereas, pending the entry into force of a new protocol, it is necessary on the basis of Regulation (EEC) No 3670/81, to extend, for 1982, the arrangements which the Community applies to trade with Malta within the context of the Association with that country;

Whereas, since a protocol as provided for in Article 118 of the 1979 Act of Accession does not exist, the Community must adopt the measures referred to in Article 119 of that Act; whereas the tariff measure concerned will, therefore, apply to the Community of Nine;

Whereas the abovementioned Additional Protocol makes provision for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas, however, for a number of products exemption from duties is subject to ceilings above which the customs duties applicable to third countries may be reintroduced; whereas the ceilings to be applied in the first half of 1982 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Malta; whereas it is therefore desirable that imports of these products be subjected to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products

are entered with Customs authorities for home use; whereas this administrative procedure must make provision for the possibility of customs tariff duties being reintroduced as soon as the ceilings are reached at Community level;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 30 June 1982, imports into the Community of Nine of the products listed in the Annex originating in Malta shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, their tariff headings and statistical numbers and the ceilings shall be as set out in the Annex.

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

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

⁽¹⁾ GEN I 160

⁽²⁾ GEN I 79

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

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

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

4. Member States shall forward to the Commission not later than the 15th day of each month statements of the quantities charged during the preceding

month. If the Commission so requests, they shall provide such statements for periods of 10 days and forward them within five clear days of the end of each 10-day period.

Article 2

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

Article 3

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 21 December 1981.

For the Council
The President
N. RIDLEY

31. 12. 81

Official Journal of the European Communities

No L 382/15

ANNEX

List of products subject to import ceilings in 1982

Serial No	CCT heading No	Description	NIMEXE code	Ceiling (in tonnes)
1	2	3	4	5
IM 1	55.05	Cotton yarn, not put up for retail sale	55.05- all Nos	Ceiling delayed
IM 2	55.09	Other woven fabrics of cotton	55.09- all Nos	63
IM 3	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04- all Nos	Ceiling delayed
IM 4	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	60.05- all Nos	137.5
IM 5	61.01	Men's and boys' outer garments	61.01- all Nos	520

COUNCIL REGULATION (EEC) No 3806/81**of 21 December 1981****totally or partially suspending Common Customs Tariff duties on certain products, falling within Chapters 1 to 24 of the Common Customs Tariff and originating in Malta (1982)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Article 1

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

1. From 1 January to 31 December 1982, the products originating in Malta listed in the Annex shall be admitted for import into the Community of Nine at the customs duties indicated for each of them.

Having regard to the proposal from the Commission,

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

Article 2

Whereas, under Annex I to the Agreement establishing an Association between the European Economic Community and Malta ⁽²⁾, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in the Annex to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 3033/80 or the customs duty applicable to the other products from 1 January to 31 December 1982 and at the levels indicated for each of them;

When products benefiting from the arrangements provided for in Article 1 are imported in the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual or potential serious disadvantage in a single region of the Community.

Article 3

Whereas in the absence of a protocol provided for in Article 118 of the 1979 Act of Accession, the Community must take the measures referred to in Article 119 of that Act; whereas the tariff measure in question will therefore apply to the Community of Nine,

1. In order to ensure the application of Article 2, the Commission may decide, by means of a Regulation, to reintroduce the levying of customs duties for a limited period.

2. In the event of such action being requested by a Member State, the Commission shall take a decision within a period of not more than 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ GEN I 1

to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 21 December 1981.

For the Council

The President

N. RIDLEY

ANNEX

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04 fresh, chilled or frozen: A. Meat: III. Of swine: b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen: ex A. Of domestic pigeons ex B. Furred game, frozen C. Other: ex I. Frogs' legs II. Other	6 % Free Free Free
04.06	Natural honey	25 %
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material: B. Other	Free
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared: ex B. Other: — Cut flowers, not further prepared than dried — Other cut flowers	7 % 17 %

CCI heading No	Description	Rate of duty
1	2	3
07.01	Vegetables, fresh or chilled: ex T. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (drumsticks) ...	Free
08.08	Berries, fresh: F. Other	5 %
15.10	Fatty acids, acid oils from refining; fatty alcohols: C. Other fatty acids; acid oils from refining	Free
16.02	Other prepared or preserved meat or meat offal: A. Liver: I. Goose or duck liver	14 %
	B. Other II. Game or rabbit meat or offal: — Game	9 %
	— Rabbit	14 %
	III. Other: b) Other: 1. Containing bovine meat or offal: ex bb) Other: — Prepared or preserved bovine tongue	17 %
	2. Other: aa) Of sheep or goats: — Sheep	18 %
	— Goats	16 %
	bb) Other	16 %
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: B. Truffles	14 %
	D. Asparagus	20 %
	E. Sauerkraut	15 %
	ex F. Capers	12 %

CCT heading No	Description	Rate of duty
1	2	3
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>A. Of a specific gravity exceeding 1.33 at 15 °C:</p> <p>III. Other:</p> <p>ex a) Of a value exceeding 30 ECU per 100 kg net weight:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>b) Of a value not exceeding 30 ECU per 100 kg net weight:</p> <p>ex 1. With an added sugar content exceeding 30 % by weight:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>ex 2. Other:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>B. Of a specific gravity of 1.33 or less at 15 °C:</p> <p>II. Other:</p> <p>a) Of a value exceeding 30 ECU per 100 kg net weight:</p> <p>2. Grapefruit juice</p> <p>3. Other citrus fruit juices:</p> <p>ex aa) Containing added sugar:</p> <p>— Excluding lemon juices</p> <p>ex bb) Other:</p> <p>— Excluding lemon juices</p> <p>6. Other fruit and vegetable juices, excluding apricot and peach juices:</p> <p>ex aa) Containing added sugar:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>ex bb) Other:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p>	<p>14 %</p> <p>14 % + (L)</p> <p>14 %</p> <p>8 %</p> <p>13 %</p> <p>13 %</p> <p>9 %</p> <p>17 %</p> <p>9 %</p> <p>18 %</p>

CCF heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>B. II. a) 7. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p> <p>11. Containing added sugar 17 %</p> <p>22. Other 18 %</p> <p>b) Of a value of 30 ECU or less per 100 kg net weight:</p> <p>2. Grapefruit juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight 8 % + (L)</p> <p>bb) Other 8 %</p> <p>4. Other citrus fruit juices:</p> <p>aa) With an added sugar content exceeding 30 % by weight 14 % + (L)</p> <p>bb) With an added sugar content of 30 % or less by weight 14 %</p> <p>cc) Not containing added sugar 15 %</p> <p>7. Other fruit and vegetable juices, excluding apricot and peach juice:</p> <p>ex aa) With an added sugar content exceeding 30 % by weight:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 9 % + (L)</p> <p>— Other, excluding apricot and peach juices 17 % + (L)</p> <p>ex bb) With an added sugar content of 30 % or less by weight:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 9 %</p> <p>— Other, excluding apricot and peach juices 17 %</p> <p>ex cc) Not containing added sugar:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons 9 %</p> <p>— Other, excluding apricot and peach juices 18 %</p> <p>8. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p>	

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	B. II. b) 8. ex bb) 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar	17 % + (L) 17 % 18 %
21.06	Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeast: II. Baker's yeast: a) Dried b) Other	5 % + vc 5 % + vc
23.01	Flours and meal, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves: B. Flours and meals of fish, crustaceans or molluscs	Free

Abbreviations:
 (L) = levy,
 vc = variable component.

COUNCIL REGULATION (EEC) No 137/82**of 19 January 1982****concerning the application of EEC-Malta Council of Association Decision No 1/82 replacing the unit of account by the ECU in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation, to the Agreement establishing an association between the European Economic Community and Malta**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an association between the European Economic Community and Malta ⁽¹⁾ was signed on 5 December 1970 and entered into force on 1 April 1971 ;

Whereas a Protocol laying down certain provisions relating to the Agreement establishing an association between the European Economic Community and Malta ⁽²⁾ was signed in Brussels on 4 March 1976 and entered into force on 1 June 1976 ;

Whereas under Article 25 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to

the above Protocol and forming an integral part of the Agreement, the Association Council has adopted Decision No 1/82 amending this Protocol ;

Whereas that Decision should be made to apply in the Community,

HAS ADOPTED THIS REGULATION :

Article 1

Decision No 1/82 of the EEC-Malta Association Council shall apply in the Community.

The text of the Decision is attached to this Regulation.

Article 2

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

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

Done at Brussels, 19 January 1982.

For the Council

The President

P. de KEERSMAEKER

⁽¹⁾ GEN I 1
⁽²⁾ GEN I 79

COUNCIL REGULATION (EEC) No 1551/82

of 8 June 1982

suspending the application of ceilings established by Regulation (EEC) No 3804/81 for imports of certain products originating in Malta

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 pursuant to Article 2 of Annex I to the Agreement establishing an association between the European Economic Community and Malta, the Community has, by Regulation (EEC) No 3804/81, established the ceilings applicable in 1982 to imports of certain products originating in Malta; whereas that Article provides that if, for two successive years, imports of a product subject to a ceiling are less than 90 % of the amount fixed, the Community shall suspend the application of this ceiling;

Whereas the Communities' statistical summaries for 1980 and 1981 show that imports of certain products which are subject to ceilings did not, during those years, reach 90 % of the ceilings indicated; whereas therefore, the Community should suspend application of the ceilings valid for imports of the products in question from 1 January 1982; whereas, however, it is

desirable to follow the development of these imports by means of statistical surveillance,

HAS ADOPTED THIS REGULATION:

Article 1

The application of the ceilings established by Article 1 of Regulation (EEC) No 3804/81 shall be suspended from 1 January 1982 for imports of other woven fabrics of cotton, falling within heading No 55.09 of the Common Customs Tariff, and of outer garments and other articles, knitted or crocheted, not elastic or rubberized, falling within heading No 60.05 of the Common Customs Tariff, listed respectively under Serial Nos I M 2 and I M 4 in the Annex to the said Regulation. These imports shall remain under Community surveillance.

Article 2

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

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

Done at Luxembourg, 8 June 1982.

For the Council
The President
M. EYSKENS

COUNCIL REGULATION (EEC) No 1735/82
of 29 June 1982
amending Regulation (EEC) No 3508/80 extending the term of validity of the
arrangements applicable to trade with Malta beyond 31 December 1980

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 Regulation (EEC) No 3508/80, as last
amended by Regulation (EEC) No 3670/81, has
extended the arrangements applicable to trade with
Malta until 30 June 1982;

Whereas the conditions justifying this extension still
exist; whereas the period of validity of the said Regu-
lation should therefore be extended,

HAS ADOPTED THIS REGULATION :

Article 1

In Article 1 of Regulation (EEC) No 3508/80, '30 June
1982' is hereby replaced by '31 December 1982'.

Article 2

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

It shall apply with effect from 1 July 1982.

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

Done at Brussels, 29 June 1982.

For the Council

The President

P. de KEERSMAEKER

1. 7. 82

Official Journal of the European Communities

No L 190/3

COUNCIL REGULATION (EEC) No 1736/82

of 29 June 1982

amending Regulation (EEC) No 3804/81 establishing ceilings for and Community surveillance of imports of certain products originating in Malta (1982)

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 by Regulation (EEC) No 3670/81 the Council extended the term of validity of the arrangements applicable to trade with Malta beyond 31 December 1981; whereas the Council accordingly adopted Regulation (EEC) No 3804/81, as amended by Regulation (EEC) No 1551/82;

Whereas Regulation (EEC) No 3804/81 is valid until 30 June 1982 and whereas the ceilings established therein are equal to 50 % of the annual amounts provided for in the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta;

Whereas the period of validity of Regulation (EEC) No 3670/81 was extended until 31 December 1982 by Council Regulation (EEC) No 1735/82; whereas the validity of Regulation (EEC) No 3804/81 should therefore be extended to the same date and the ceilings fixed therein increased to the annual amounts provided for in the abovementioned Additional Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3804/81 is hereby amended as follows:

- In Article 1 (1), '30 June 1982' shall be replaced by '31 December 1982'.
- The Annex shall be replaced by the following:

ANNEX

List of products subject to import ceilings in 1982

Serial No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I M 1	55.05	Cotton yarn, not put up for retail sale	55.05- all Nos	ceiling delayed
I M 2	55.09	Other woven fabrics of cotton	55.09- all Nos	ceiling delayed
I M 3	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04- all Nos	ceiling delayed
I M 4	60.05	Outer garments and other articles, knitted or crocheted, not elastic	60.05- all Nos	ceiling delayed
I M 5	61.01	Men's and boys' outer garments	61.01- all Nos	1 040'

Article 2

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

It shall apply with effect from 1 July 1982.

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

Done at Brussels, 29 June 1982.

For the Council

The President

P. de KEERSMAEKER

10. 8. 82

Official Journal of the European Communities

No L 235/17

COMMISSION REGULATION (EEC) No 2208/82
of 6 August 1982

amending Regulation (EEC) No 2819/79 making the importation of certain textile products originating in certain third countries subject to Community surveillance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports ⁽¹⁾, and in particular Article 70 thereof,

Having consulted the Advisory Committee set up under Article 5 of the said Regulation,

Whereas, by Commission Regulation (EEC) No 2819/79, as extended by Regulation (EEC) No 3785/81 and amended by Regulation (EEC) No 1656/81 ⁽²⁾, the Commission made the import of certain textile products from certain non-member countries subject to Community surveillance;

Whereas the reasons which justified the introduction of these measures in respect of imports from the Mediterranean countries which had signed Agreements

establishing preferential arrangements with the Community no longer exist with regard to certain imports originating in Malta; whereas those measures should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 2819/79, the entries relating to categories 3, 5, 30a and 76 are hereby deleted to the extent they refer to Malta.

Article 2

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

It shall apply until 31 December 1982.

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

Done at Brussels, 6 August 1982.

For the Commission
Étienne DAVIGNON
Vice-President

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 165, 23. 6. 1981, p. 8.

9. 9. 82

Official Journal of the European Communities

No L 261/19

COMMISSION REGULATION (EEC) No 2442/82

of 7 September 1982

amending Regulation (EEC) No 2819/79 making the importation of certain textile products originating in certain third countries subject to Community surveillance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾, and in particular Article 10 thereof,

Having consulted the Advisory Committee set up under Article 5 of the said Regulation,

Whereas, by Commission Regulation (EEC) No 2819/79, as extended by Regulation (EEC) No 3785/81 and amended by Regulations (EEC) No 1656/81⁽²⁾ and (EEC) No 2208/82 the Commission made the import of certain textile products from certain non-member countries subject to Community surveillance;

Whereas, by Council Regulation (EEC) No 636/82 of 15 March 1982⁽³⁾, an arrangement has been established, uniformly applicable in all the Member States, for certain textile and clothing products reimported into the Community after working or processing in certain third countries;

Whereas the reasons which justified the introduction of these measures in respect of imports from the Mediterranean countries which had signed Agreements

establishing preferential arrangements with the Community no longer exist with regard to textile and clothing products reimported into the Community after working or processing in certain third countries; whereas those measures should, therefore, be amended,

HAS ADOPTED THIS REGULATION:

Article 1

The second sentence of Article 4, paragraph A of Regulation (EEC) No 2819/79 is abolished.

Article 2

Commission Regulation (EEC) No 2819/79 is not applicable to those textile and clothing products reimported into the Community after being subjected to outward processing operations which are accompanied by a prior authorization issued in accordance with Council Regulation (EEC) No 636/82.

Article 3

This Regulation shall enter into force on 1 September 1982.

It shall apply until 31 December 1982.

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

Done at Brussels, 7 September 1982.

For the Commission
Wilhelm HAFERKAMP
Vice-President

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 165, 23. 6. 1981, p. 8.

⁽³⁾ OJ No L 76, 20. 3. 1982, p. 1.

COUNCIL REGULATION (EEC) No 3356/82

of 3 December 1982

establishing ceilings and Community surveillance of imports of certain products originating in Malta (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas, pending the entry into force of a new protocol, it is necessary to extend, for 1983, the arrangements which the Community applies to trade with Malta within the context of the Association with that country;

Whereas, since a protocol as provided for in Article 118 of the 1979 Act of Accession does not exist, the Community must adopt the measures referred to in Article 119 of that Act; whereas the tariff measure concerned will, therefore, apply to the Community of Nine;

Whereas the abovementioned Additional Protocol makes provision for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas, however, for a number of products exemption from duties is subject to ceilings above which the customs duties applicable to third countries may be reintroduced; whereas the ceilings to be applied in 1983 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Malta; whereas it is therefore desirable that imports of these products be subjected to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products are entered with customs authorities for home use; whereas this administrative procedure must make provision for the possibility of customs tariff duties being reintroduced as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member

States and the Commission and the latter must in particular be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1983, imports into the Community of Nine of the products listed in the Annex originating in Malta shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, their tariff headings and statistical numbers and the ceilings shall be as set out in the Annex.

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

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

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

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

3. As soon as the ceilings have been reached, the Commission may adopt a Regulation reimposing until the

⁽¹⁾ GEN I 160

⁽²⁾ GEN I 79

end of the calendar year the customs duties applicable to third countries.

Article 2

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

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

Article 3

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 3 December 1982.

For the Council
The President
Ch. CHRISTENSEN

ANNEX

List of products subject to import ceilings in 1983

Serial No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
IM 1	55.05	Cotton yarn, not put up for retail sale	55.05- all Nos	Ceiling delayed
IM 2	55.09	Other woven fabrics of cotton	55.09- all Nos	Ceiling delayed
IM 3	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04- all Nos	Ceiling delayed
IM 4	60.05	Outer garments and other articles, knitted or crocheted, not elastic	60.05- all Nos	Ceiling delayed
IM 5	61.01	Men's and boys' outer garments	61.01- all Nos	1 092

**COMMISSION REGULATION (EEC) No 3521/82
of 21 December 1982**

amending and extending the period of applicability of Regulation (EEC) No 2819/79 making the imports of certain textile products from certain third countries subject to Community surveillance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾, and in particular Article 10 thereof,

Having consulted the Advisory Committee set up under Article 5 of the said Regulation,

Whereas by virtue of Regulation (EEC) No 2819/79, as last amended by Regulation (EEC) No 2442/82, the Commission has established a system of Community surveillance for imports of certain textile products listed in the Annex and originating in the Mediterranean countries which had signed Agreements establishing preferential arrangements with the Community, that is to say Egypt, Portugal, Spain, Turkey and Malta;

Whereas it is necessary to modify Articles 3 and 4 of Regulation (EEC) No 2819/79;

Whereas the situation which led to the introduction of the said surveillance system still exists; whereas that system should therefore remain in force,

HAS ADOPTED THIS REGULATION:

Article 1

1. The last subparagraph of Article 3 of Regulation (EEC) No 2819/79 is hereby deleted.

2. The last phrase of Article 4 of the same Regulation shall read as follows:

'Such communication shall indicate separately the quantities put into free circulation and the quantities imported for inward processing.'

Article 2

The Annex to Regulation (EEC) No 2819/79 is hereby replaced by the Annex to this Regulation.

Article 3

Regulation (EEC) No 2819/79 is hereby extended until 31 December 1983.

Article 4

This Regulation shall enter into force on 1 January 1983.

It shall apply with effect until 31 December 1983.

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

Done at Brussels, 21 December 1982.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

29. 12. 82

Official Journal of the European Communities

No L 369/15

ANNEX

Category	CCT heading No	NIMEXE code (1983)	Description	Units	Third countries
1	55.05	55.05-13; 19; 21; 25; 27; 29; 33; 35; 37; 41; 45; 46; 48; 51; 53; 55; 57; 61; 65; 67; 69; 72; 78; 81; 83; 85; 87	Cotton yarn, not put up for retail sale	Tonnes	Egypt Spain Turkey Portugal Malta
2	55.09	55.09-03; 04; 05; 06; 07; 08; 09; 10; 11; 12; 13; 14; 15; 16; 17; 19; 21; 29; 32; 34; 35; 37; 38; 39; 41; 49; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 68; 69; 70; 71; 73; 75; 76; 77; 78; 79; 80; 81; 82; 83; 84; 85; 87; 88; 89; 90; 91; 92; 93; 98; 99	Other woven fabrics of cotton : Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics	Tonnes	Spain Turkey Portugal Malta
3	56.07 A	56.07-01; 04; 05; 07; 08; 10; 12; 15; 19; 20; 22; 25; 29; 30; 31; 35; 38; 39; 40; 41; 43; 45; 46; 47; 49	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres : Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics	Tonnes	Spain Portugal Turkey
4	60.04 B I II a) b) c) IV b) 1 aa) dd) 2 ee) d) 1 aa) dd) 2 dd)	60.04-19; 20; 22; 23; 24; 26; 41; 50; 58; 71; 79; 89	Under garments, knitted or crocheted, not elastic or rubberized : Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres; T-shirts and lightweight fine knit roll, polo or turtle necked jumpers and pullovers, of regenerated textile fibres, other than babies' garments	1 000 pieces	Spain Turkey Portugal Malta
5	60.05 A I II b) 4 bb) 11 aaa) bbb) ccc) ddd) eee) 22 bbb) ccc) ddd) eee) fff)	60.05-01; 31; 33; 34; 35; 36; 39; 40; 41; 42; 43	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers, knitted or crocheted, not elastic or rubberized, of wool, of cotton or of man-made textile fibres	1 000 pieces	Spain Portugal Turkey

Category	CCT heading No	NIMEXE code (1983)	Description	Units	Third countries
6	61.01 B V d) 1 2 3 e) 1 2 3 61.02 B II e) 6 aa) bb) cc)	61.01-62; 64; 66; 72; 74; 76 61.02-66; 68; 72	Men's and boys' outer garments : Women's, girls' and infants' outer garments : B. Other : Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres	1 000 pieces	Spain Portugal Malta Turkey
7	60.05 A II b) 4 aa) 22 33 44 55 61.02 B II e) 7 bb) cc) dd)	60.05-22; 23; 24; 25 61.02-78; 82; 84	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other Women's, girls' and infants' outer garments : B. Other : Blouses and shirt-blouses, knitted, crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres	1 000 pieces	Portugal Malta Turkey
8	61.03 A	61.03-11; 15; 19	Men's and boys' under garments, including collars, shirt fronts and cuffs : Men's and boys' shirts, woven, of wool, of cotton or of man-made textile fibres	1 000 pieces	Portugal Malta Turkey
9	55.08 62.02 B III a) 1	55.08-10; 30; 50; 80 62.02-71	Terry towelling and similar terry fabrics of cotton : Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles : B. Other : Woven cotton terry fabrics; toilet and kitchen linen of woven cotton terry fabrics	Tonnes	Portugal (!) Turkey
13	60.04 B IV b) 1 cc) 2 dd) d) 1 cc) 2 cc)	60.04-48; 56; 75; 85	Under garments, knitted or crocheted, not elastic or rubberized : Men's and boys' underpants and briefs, women's, girls' and infants' (other than babies') knickers and briefs, knitted or crocheted, not elastic or rubberized, of cotton or synthetic textile fibres	1 000 pieces	Spain

(!) Community surveillance shall only apply to products falling under NIMEXE code 62.02-71 in category 9.

29. 12. 82

Official Journal of the European Communities

No L 369/17

Category	CCT heading No	NIMEXE code (1983)	Description	Units	Third countries
19	61.05 A B I III	61.05-20 61.05-30 ; 99	Handkerchiefs : A. Of woven cotton fabric, of a value of more than 15 ECU/kg net weight B. Other : Handkerchiefs of woven fabric, of a value of not more than 15 ECU/kg net weight	Tonnes	Portugal
20	62.02 B I a) c)	62.02-12 ; 13 ; 19	Bed linen, table linen, toilet linen and kitchen linen ; curtains and other furnishing articles : B. Other : Bed linen, woven	Tonnes	Spain Portugal Turkey
22	56.05 A	56.05-03 ; 05 ; 07 ; 09 ; 11 ; 13 ; 15 ; 19 ; 21 ; 23 ; 25 ; 28 ; 32 ; 34 ; 36 ; 38 ; 39 ; 42 ; 44 ; 45 ; 46 ; 47	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale : A. Of synthetic textile fibres : Yarn of discontinuous or waste synthetic fibres, not put up for retail sale	Tonnes	Spain
23	56.05 B	56.05-51 ; 55 ; 61 ; 65 ; 71 ; 75 ; 81 ; 85 ; 91 ; 95 ; 99	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale : B. Of regenerated textile fibres : Yarn of discontinuous or waste regenerated fibres, not put up for retail sale	Tonnes	Spain
26	60.05 A II b) 4 cc) 11 22 33 44 61.02 B II e) 4 bb) cc) dd) ee)	60.05-45 ; 46 ; 47 ; 48 61.02-48 ; 52 ; 53 ; 54	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other Women's, girls' and infants' outer garments : B. Other : Women's, girls' and infants' (other than babies) woven and knitted or crocheted dresses, of wool, of cotton or of man-made textile fibres	1 000 pieces	Turkey
27	60.05 A II b) 4 dd) 61.02 B II e) 5 aa) bb) cc)	60.05-51 ; 52 ; 54 ; 58 61.02-57 ; 58 ; 62	Outer garments and other articles, knitted or crocheted, not elastic or rubberized : A. Outer garments and clothing accessories : II. Other Women's, girls' and infants' outer garments : B. Other : Women's, girls' and infants' (other than babies) woven and knitted or crocheted skirts, including divided skirts	1 000 pieces	Turkey

Category	CCT heading No	NIMEXE code (1983)	Description	Units	Third countries
29	61.02 B II e) 3 aa) bb) cc)	61.02-42; 43; 44	Women's, girls' and infants' outer garments : B. Other : Women's, girls' and infants' (other than babies) woven suits and costumes (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together), of wool, of cotton or of man-made textile fibres	1 000 pieces	Turkey
32	ex 58.04	58.04-07; 11; 15; 18; 41; 43; 45; 61; 63; 67; 69; 71; 75; 77; 78	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05): Woven pile fabrics and chenille fabrics (other than terry fabrics of cotton and narrow woven fabrics), of wool, of cotton or of man-made textile fibres	Tonnes	Turkey
33	51.04 A III a) 62.03 B II b) 1	51.04-06 62.03-51; 59	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip falling within heading No 51.01 or 51.02 : A. Woven fabrics of synthetic textile fibres : Sacks and bags, of a kind used for the packing of goods : B. Of other textile materials : II. Other : Woven fabrics of strip or the like of polyethylene or polypropylene, less than 3 m wide; woven sacks of such strip or the like	Tonnes	Portugal
39	62.02 B II a) c) III a) 2 c)	62.02-40; 42; 44; 46; 51; 59; 65; 72; 74; 77	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles : B. Other : Woven table linen, toilet and kitchen linen, other than of cotton terry fabric	Tonnes	Portugal
90	ex 59.04	59.04-11; 13; 15; 16; 19; 21	Twine, cordage, ropes and cables, plaited or not : Twine, cordage, ropes and cables, of synthetic textile fibres, plaited or not	Tonnes	Portugal
101	ex 59.04	59.04-80	Twine, cordage, ropes and cables, plaited or not : Other than of synthetic textile fibres	Tonnes	Portugal
121	ex 59.04	59.04-60	Twine, cordage, ropes and cables plaited or not : Twine, cordage, ropes and cables, plaited or not, of flax or ramie	Tonnes	Portugal

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No L 369/19

Category	CCT heading No	NIMEXE code (1983)	Description	Units	Third countries
145 A	ex 59.04	59.04-23	Twine, cordage, ropes and cables, plaited or not : — Of abaca (Manila hemp)	Tonnes	Portugal
145 B	ex 59.04	59.04-50	Twine, cordage, ropes and cables, plaited or not : — Of true hemp	Tonnes	Portugal
146 A	ex 59.04	59.04-31	Twine, cordage, ropes and cables, plaited or not : — Binder and baler twine for agricultural machines, of sisal and other fibres of the Agave family	Tonnes	Portugal
146 B	ex 59.04	59.04-35 ; 38	Twine, cordage, ropes and cables, plaited or not : — Of sisal and other fibres of the Agave family, other than those falling within category 146 A	Tonnes	Portugal
146 C	ex 59.04	59.04-70	Twine, cordage, ropes and cables, plaited or not : — Of jute or other textile bast fibres included in category 154	Tonnes	Portugal
	62.02	62.02-01 ; 09 ; 12 ; 13 ; 15 ; 19 ; 40 ; 42 ; 44 ; 46 ; 51 ; 59 ; 61 ; 65 ; 71 ; 72 ; 74 ; 75 ; 77 ; 83 ; 85 ; 87 ; 89	Bed linen, table linen, toilet linen and kitchen linen ; curtains and other furnishing articles	Tonnes	Portugal

COMMISSION REGULATION (EEC) No 3522/82
of 21 December 1982

extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 3045/79, (EEC) No 3046/79 and (EEC) No 1782/80 on Community surveillance of imports of certain textile products originating respectively in Malta, Spain, Portugal and Egypt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾, and in particular Article 10 thereof,

Having regard to the opinion of the Advisory Committee set up by Article 5 of that Regulation,

Whereas Commission Regulation (EEC) No 2819/79, the period of validity of which was last extended and amended by Regulation (EEC) No 3521/82, makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas by Regulations (EEC) No 3044/79, (EEC) No 3045/79⁽²⁾, (EEC) No 3046/79⁽³⁾, and (EEC) No 1782/80⁽⁴⁾, the Commission established Community surveillance of imports of certain textile products originating respectively in Malta, Spain, Portugal and Egypt; whereas those Regulations expire on 31 December 1982;

Whereas the reasons that justified the introduction of the above Regulations are still valid; whereas the said Regulations should therefore be extended for an additional period,

HAS ADOPTED THIS REGULATION:

Article 1

Community surveillance of imports of certain textile products originating in Malta, Spain, Portugal and Egypt established respectively by Regulations (EEC) No 3044/79, (EEC) No 3045/79, (EEC) No 3046/79 and (EEC) No 1782/80 is hereby extended until 31 December 1983.

Article 2

This Regulation shall enter into force on 1 January 1983.

It shall apply with effect until 31 December 1983.

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

Done at Brussels, 21 December 1982.

For the Commission
Wilhelm HAFERKAMP
Vice-President

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 343, 31. 12. 1979, p. 11.

⁽³⁾ OJ No L 343, 31. 12. 1979, p. 12.

⁽⁴⁾ OJ No L 174, 9. 7. 1980, p. 16.

30. 12. 82

Official Journal of the European Communities

No L 371/1

COUNCIL REGULATION (EEC) No 3531/82
of 21 December 1982
amending Regulation (EEC) No 3508/80 extending the term of validity of the
arrangements applicable to trade with Malta beyond 31 December 1980

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 Regulation (EEC) No 3508/80, as last
amended by Regulation (EEC) No 1735/82, has
extended the arrangements applicable to trade with
Malta until 31 December 1982;

Whereas the conditions justifying this extension still
exist; whereas the period of validity of the said Regu-
lations should therefore be extended,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3508/80, '31
December 1982' is hereby replaced by '30 June 1983'.

Article 2

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

It shall apply with effect from 1 January 1983.

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

Done at Brussels, 21 December 1982.

For the Council
The President
O. MØLLER

COUNCIL REGULATION (EEC) No 3495/82
of 10 December 1982

totally or partially suspending Common Customs Tariff duties on certain products, falling within Chapters 1 to 24 of the Common Customs Tariff and originating in Malta (1983)

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

Having regard to the proposal from the Commission,

Whereas, under Annex I to the Agreement establishing an Association between the European Economic Community and Malta⁽²⁾, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in the Annex to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 3033/80 or the customs duty applicable to the other products from 1 January to 31 December 1983 and at the levels indicated for each of them;

Whereas in the absence of a protocol provided for in Article 118 of the 1979 Act of Accession, the Community must take the measures referred to in Article 119 of that Act; whereas the tariff measure in question will therefore apply to the Community of Nine,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1983, the products originating in Malta listed in the Annex shall be admitted for import into the Community of Nine at the customs duties indicated for each of them.

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

Done at Brussels, 10 December 1982.

For the Council

The President

G. FENGER MØLLER

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

Article 2

When products benefiting from the arrangements provided for in Article 1 are imported in the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual or potential serious disadvantage in a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide, by means of a Regulation, to reintroduce the levying of customs duties for a limited period.

2. In the event of such action being requested by a Member State, the Commission shall take a decision within a period of not more than 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1983.

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ GEN I 2

30. 12. 82

Official Journal of the European Communities

No L 372/31

ANNEX

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04 fresh, chilled or frozen: A. Meat: III. Of swine: b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen: ex A. Of domestic pigeons ex B. Furred game, frozen C. Other: ex I. Frogs' legs II. Other	6 % Free Free Free
04.06	Natural honey	25 %
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material: B. Other	Free
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared: ex B. Other: — Cut flowers, not further prepared than dried — Other cut flowers	7 % 16 %
07.01	Vegetables, fresh or chilled: G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: III. Horse-radish (<i>Cochlearia armoracia</i>) ex T. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (drumsticks)	13 % Free
07.02	Vegetables (whether or not cooked); preserved by freezing: ex B. Other: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	13 %
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: E. Other vegetables: — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	Free
07.04	Dried, dehydrated or evaporated vegetables whole, cut, sliced, broken or in powder, but not further prepared: ex B. Other: — Horse-radish (<i>Cochlearia armoracia</i>) — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	Free 11 %

30. 12. 82

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No L 372/33

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>B. Of a specific gravity of 1.33 or less at 15 °C:</p> <p>II. Other:</p> <p>a) Of a value exceeding 30 ECU per 100 kg net weight:</p> <p>2. Grapefruit juice</p> <p>3. Other citrus fruit juices:</p> <p>ex aa) Containing added sugar:</p> <p>— Excluding lemon juices</p> <p>ex bb) Other:</p> <p>— Excluding lemon juices</p> <p>6. Other fruit and vegetable juices, excluding apricot and peach juices:</p> <p>ex aa) Containing added sugar:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>ex bb) Other:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p> <p>7. Mixtures:</p> <p>ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice:</p> <p>11. Containing added sugar</p> <p>22. Other</p> <p>b) Of a value of 30 ECU or less per 100 kg net weight:</p> <p>2. Grapefruit juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) Other</p> <p>4. Other citrus fruit juices:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>bb) With an added sugar content of 30 % or less by weight</p> <p>cc) Not containing added sugar</p> <p>7. Other fruit and vegetable juices, excluding apricot and peach juice:</p> <p>ex aa) With an added sugar content exceeding 30 % by weight:</p> <p>— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons</p> <p>— Other, excluding apricot and peach juices</p>	<p>8 %</p> <p>13 %</p> <p>13 %</p> <p>9 %</p> <p>17 %</p> <p>9 %</p> <p>18 %</p> <p>17 %</p> <p>18 %</p> <p>8 % + (L)</p> <p>8 %</p> <p>14 % + (L)</p> <p>14 %</p> <p>15 %</p> <p>9 % + (L)</p> <p>17 % + (L)</p>

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	<p>B. II. b) 7. ex bb) With an added sugar content of 30 % or less by weight:</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>ex cc) Not containing added sugar:</p> <ul style="list-style-type: none"> — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices <p>8. Mixtures:</p> <ul style="list-style-type: none"> ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pest, tomato, apricot or peach juice 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar 	<p>9 %</p> <p>17 %</p> <p>9 %</p> <p>18 %</p> <p>17 % + (L)</p> <p>17 %</p> <p>18 %</p>
21.06	<p>Natural yeasts (active or inactive); prepared baking powders:</p> <p>A. Active natural yeast:</p> <p>II. Baker's yeast:</p> <ul style="list-style-type: none"> a) Dried b) Other 	<p>5 % + vc</p> <p>5 % + vc</p>
23.01	<p>Flours and meal, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves:</p> <p>B. Flours and meals of fish, crustaceans or molluscs</p>	<p>Free</p>

Abbreviations:

(L) = levy,
vc = variable component.

Table
XI

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COUNCIL REGULATION (EEC) No 1823/83

of 30 June 1983

amending Regulation (EEC) No 3508/80 extending the term of validity of the arrangements applicable to trade with Malta beyond 31 December 1980

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 Regulation (EEC) No 3508/80, as last amended by Regulation (EEC) No 3531/82, has extended the arrangements applicable to trade with Malta until 30 June 1983;

Whereas the conditions justifying this extension still exist; whereas the period of validity of the said Regulations should therefore be extended,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3508/80, '30 June 1983' is hereby replaced by '31 December 1983'.

Article 2

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

It shall apply with effect from 1 July 1983.

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

Done at Brussels, 30 June 1983.

For the Council

The President

H.-J. ROHR

**COUNCIL REGULATION (EEC) No 3197/83
of 4 November 1983**

**establishing ceilings and Community surveillance of imports of certain products
originating in Malta (1984)**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas, pending the entry into force of a new protocol, it is necessary to extend, for 1984, the arrangements which the Community applies to trade with Malta within the context of the Association with that country;

Whereas, since a protocol as provided for in Article 118 of the 1979 Act of Accession does not exist, the Community must adopt the measures referred to in Article 119 of that Act; whereas the tariff measure concerned will, therefore, apply to the Community of Nine;

Whereas the abovementioned Additional Protocol makes provision for the total abolition of customs duties in respect of the products to which the Agreement applies; whereas, however, for a number of products exemption from duties is subject to ceilings above which the customs duties applicable to third countries may be re-introduced; whereas the ceilings to be applied in 1984 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Malta; whereas it is therefore desirable that imports of these products be subjected to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the

ceilings at Community level as and when the products are entered with customs authorities for home use; whereas this administrative procedure must make provision for the possibility of customs tariff duties being re-introduced as soon as the ceilings are reached at Community level;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1984, imports into the Community of Nine of the products listed in the Annex and originating in Malta shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, their tariff headings and statistical numbers and the ceilings shall be as set out in the Annex.

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

⁽¹⁾ GEN I 160

⁽²⁾ GEN I 79

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

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

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

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

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

Article 2

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

Article 3

This Regulation shall enter into force on 1 January 1984.

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

Done at Brussels, 4 November 1983.

For the Council

The President

C. VAITSOS

ANNEX

List of products subject to import ceilings in 1984

Serial No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
IM 1	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos	Ceiling delayed
IM 2	55.09	Other woven fabrics of cotton	55.09-all Nos	Ceiling delayed
IM 3	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04-all Nos	Ceiling delayed
IM 4	60.05	Outer garments and other articles, knitted or crocheted, not elastic	60.05-all Nos	Ceiling delayed
IM 5	61.01	Men's and boys' outer garments	61.01-all Nos	1 146

COMMISSION REGULATION (EEC) No 3581/83
of 15 December 1983

extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 3045/79, (EEC) No 3046/79, (EEC) No 1782/80 and (EEC) No 2295/82 on Community surveillance of imports of certain textile products originating respectively in Malta, Spain, Portugal, Egypt and Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾, and in particular Article 10 thereof,

Having regard to the opinion of the Advisory Committee set up by Article 5 of that Regulation,

Whereas Commission Regulation (EEC) No 2819/79⁽²⁾, the period of validity of which was last extended by Regulation (EEC) No 3580/83⁽³⁾, makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas, by Regulations (EEC) No 3044/79⁽⁴⁾, (EEC) No 3045/79⁽⁵⁾, (EEC) No 3046/79⁽⁶⁾, (EEC) No 1782/80⁽⁷⁾ and (EEC) No 2295/82⁽⁸⁾, as last amended by Regulation (EEC) No 3581/82⁽⁹⁾, the Commission established Community surveillance of imports of certain textile products originating respectively in Malta, Spain, Portugal, Egypt and Turkey; whereas those Regulations expire on 31 December 1983;

Whereas the reasons that justified the introduction of the above Regulations are still valid; whereas the said Regulations should therefore be extended for an additional period,

HAS ADOPTED THIS REGULATION:

Article 1

Community surveillance of imports of certain textile products originating in Malta, Spain, Portugal, Egypt and Turkey, established respectively by Regulations (EEC) No 3044/79, (EEC) No 3045/79, (EEC) No 3046/79, (EEC) No 1782/80 and (EEC) No 2295/82, is hereby extended until 31 December 1984.

Article 2

This Regulation shall enter into force on 1 January 1984.

It shall apply until 31 December 1984.

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

Done at Brussels, 15 December 1983.

For the Commission
Wilhelm HAFERKAMP
Vice-President

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.
⁽²⁾ OJ No L 320, 15. 12. 1979, p. 9.
⁽³⁾ OJ No L 356, 20. 12. 1983, p. 16.
⁽⁴⁾ OJ No L 343, 31. 12. 1979, p. 8.
⁽⁵⁾ OJ No L 343, 31. 12. 1979, p. 11.
⁽⁶⁾ OJ No L 343, 31. 12. 1979, p. 12.
⁽⁷⁾ OJ No L 174, 9. 7. 1980, p. 16.
⁽⁸⁾ OJ No L 245, 20. 8. 1982, p. 25.
⁽⁹⁾ OJ No L 373, 31. 12. 1982, p. 64.

**COUNCIL REGULATION (EEC) No 3663/83
of 19 December 1983**

totally or partially suspending Common Customs Tariff duties on certain products falling within Chapters 1 to 24 of the Common Customs Tariff and originating in Malta (1984)

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

Having regard to the proposal from the Commission,

Whereas, under Annex I to the Agreement establishing an Association between the European Economic Community and Malta ⁽²⁾, the Community must partially suspend the Common Customs Tariff duties applicable to certain products; whereas it also appears necessary provisionally to adjust or to supplement certain of the tariff benefits provided for in the abovementioned Annex; whereas, accordingly, the Community should, in respect of the products originating in Malta listed in the Annex to this Regulation, suspend either the fixed component of the levy applicable to goods coming under Regulation (EEC) No 3033/80 or the customs duty applicable to the other products from 1 January to 31 December 1984 and at the levels indicated for each of them;

Whereas in the absence of a protocol provided for in Article 118 of the 1979 Act of Accession, the Community must take the measures referred to in Article 119 of that Act; whereas the tariff measure in question will therefore apply to the Community of Nine,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1984, the products originating in Malta listed in the Annex shall

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ GEN I 1

be admitted for import into the Community of Nine at the customs duties indicated for each of them.

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

Article 2

When products benefiting from the arrangements provided for in Article 1 are imported in the Community in such quantities or at such prices that Community producers of products similar to or in direct competition with them suffer or are likely to suffer from serious disadvantage, the Common Customs Tariff duties may be reintroduced in whole or in part on the products in question. Such measures may also be taken in the event of actual or potential serious disadvantage in a single region of the Community.

Article 3

1. In order to ensure the application of Article 2, the Commission may decide, by means of a Regulation, to reintroduce the levying of customs duties for a limited period.

2. In the event of such action being requested by a Member State, the Commission shall take a decision within a period of not more than 10 working days from receipt of the request and shall inform the Member States of the action taken.

3. Any Member State may refer to the Council the measure taken by the Commission, within a period of not more than 10 working days after it has been informed thereof. The fact that the matter is referred to the Council shall not cause the measure to be suspended. The Council shall meet immediately. It may, acting on a qualified majority, amend or rescind the measure in question.

Article 4

This Regulation shall enter into force on 1 January 1984.

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

Done at Brussels, 19 December 1983.

For the Council

The President

G. VARFIS

28. 12. 83

Official Journal of the European Communities

No L 366/3

ANNEX

CCT heading No	Description	Rate of duty
1	2	3
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04 fresh, chilled or frozen : A. Meat : III. Of swine : b) Other	Free
02.04	Other meat and edible meat offals, fresh, chilled or frozen : ex A. Of domestic pigeons ex B. Furred game, frozen C. Other : ex I. Frogs' legs II. Other	6 % Free Free Free
04.06	Natural honey	25 %
05.03	Horsehair and horsehair waste, whether or not put up as a layer or between two layers of other material : B. Other	Free
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared : ex B. Other : — Cut flowers, not further prepared than dried — Other cut flowers	7 % 15 %
07.01	Vegetables, fresh or chilled : G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots : III. Horse-radish (<i>Cochlearia armoracia</i>) T. Other : ex III. Other : — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench); <i>Moringa oleifera</i> (drumsticks)	13 % Free
07.02	Vegetables (whether or not cooked); preserved by freezing : ex B. Other : — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	13 %
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption : E. Other vegetables : — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	Free
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared : ex B. Other : — Horse-radish (<i>Cochlearia armoracia</i>) — Okra (<i>Hibiscus esculentus</i> L. or <i>Abelmoschus esculentus</i> (L.) Moench)	Free 11 %

CCT heading No	Description	Rate of duty
1	2	3
08.08	Berries, fresh :	
	F. Other	5 %
15.10	Fatty acids, acid oils from refining ; fatty alcohols :	
	C. Other fatty acids ; acid oils from refining	Free
16.02	Other prepared or preserved meat or meat offal :	
	A. Liver :	
	I. Goose or duck liver	14 %
	B. Other :	
	II. Game or rabbit meat or offal :	
	— Game	9 %
	— Rabbit	14 %
	III. Other :	
	b) Other :	
	1. Containing bovine meat or offal :	
	ex bb) Other :	
	— Prepared or preserved bovine tongue	17 %
	2. Other :	
	aa) Of sheep or goats :	
	— Sheep	18 %
	— Goats	16 %
	bb) Other	16 %
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid :	
	B. Truffles	14 %
	D. Asparagus	20 %
	E. Sauerkraut	15 %
	ex F. Capers	12 %
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit :	
	A. Of a specific gravity exceeding 1,33 at 15 °C :	
	III. Other :	
	ex a) Of a value exceeding 30 ECU per 100 kg net weight :	
	— Fruit falling within subheading 08.01 A	Free
	— Fruit falling within heading Nos 08.01 B to H, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
	b) Of a value not exceeding 30 ECU per 100 kg net weight :	
	ex 1. With an added sugar content exceeding 30 % by weight :	
	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 % + (L)
	ex 2. Other :	
	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %

28. 12. 83

Official Journal of the European Communities

No L 366/5

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	B. Of a specific gravity of 1,33 or less at 15 °C :	
	II. Other :	
	a) Of a value exceeding 30 ECU per 100 kg net weight :	
	2. Grapefruit juice	8 %
	3. Lemon juice and other citrus fruit juices :	
	ex aa) Containing added sugar :	
	— Excluding lemon juices	13 %
	ex bb) Other :	
	— Excluding lemon juices	13 %
	6. Other fruit and vegetable juices, excluding apricot and peach juices :	
	ex aa) Containing added sugar :	
	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
	— Other, excluding apricot and peach juices	17 %
	ex bb) Other :	
	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 %
	— Other, excluding apricot and peach juices	18 %
	7. Mixtures :	
	ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pear, tomato, apricot or peach juice :	
	11. Containing added sugar	17 %
	22. Other	18 %
	b) Of a value of 30 ECU or less per 100 kg net weight :	
	2. Grapefruit juice :	
	aa) With an added sugar content exceeding 30 % by weight	8 % + (L)
	bb) Other	8 %
	4. Other citrus fruit juices :	
	aa) With an added sugar content exceeding 30 % by weight	14 % + (L)
	bb) With an added sugar content of 30 % or less by weight	14 %
	cc) Not containing added sugar	15 %
	7. Other fruit and vegetable juices :	
	ex aa) With an added sugar content exceeding 30 % by weight :	
	— Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons	8 % + (L)
	— Other, excluding apricot and peach juices	17 % + (L)

CCT heading No	Description	Rate of duty
1	2	3
20.07 (cont'd)	B. II. b) 7. ex bb) With an added sugar content of 30 % or less by weight : — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices ex cc) Not containing added sugar : — Fruit falling within heading Nos 08.01, 08.08 B, E and F and 08.09, excluding pineapples, melons and watermelons — Other, excluding apricot and peach juices 8. Mixtures : ex bb) Other, excluding mixtures containing either separately or together, over 25 % of grape, citrus fruit, pineapple, apple, pest, tomato, apricot or peach juice 11. With an added sugar content exceeding 30 % by weight 22. With an added sugar content of 30 % or less by weight 33. Not containing added sugar	8 % 17 % 8 % 18 % 17 % + (L) 17 % 18 %
21.06	Natural yeasts (active or inactive); prepared baking powders : A. Active natural yeast : II. Baker's yeast : a) Dried b) Other	4 % + vc 4 % + vc
23.01	Flours and meal, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption ; greaves : B. Flours and meals of fish, crustaceans or molluscs	Free

Abbreviations :

(L) = levy,

vc = variable component.

COUNCIL REGULATION (EEC) No 3664/83

of 19 December 1983

amending Regulation (EEC) No 3508/80 extending the term of validity of the arrangements applicable to trade with Malta beyond 31 December 1980**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 Regulation (EEC) No 3508/80, as last amended by Regulation (EEC) No 1823/83, has extended the arrangements applicable to trade with Malta until 31 December 1983;

Whereas the conditions justifying this extension still exist; whereas the period of validity of the said Regulation should therefore be extended,

HAS ADOPTED THIS REGULATION:*Article 1*

In Article 1 of Regulation (EEC) No 3508/80, '31 December 1983' is hereby replaced by '30 June 1984'.

Article 2

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

It shall apply with effect from 1 January 1984.

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

Done at Brussels, 19 December 1983.

For the Council

The President

G. VAFIS

Office of Official Publications of the
European Communities - Luxembourg