

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(76) 187 final.

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PROPOSAL FOR A REGULATION (EEC) OF THE COUNCIL

opening, allocating and providing for the administration
of a Community tariff quota for products falling within
subheading 22.09 C I of the Common Customs Tariff,
originating in the overseas countries and territories
associated with the European Economic Community
(year 1976/1977)

(submitted to the Council by the Commission)

COM(76) 187 final.

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EXPLANATORY MEMORANDUM

1. Decision No 76/198/EEC of the Council dated 9.2.1976 provides that rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries associated with the EEC shall be imported free of customs duty into the Community within the limits of a tariff quota for which the quota period shall be from 1 July to 30 June.
 - 1.1 The volume of the tariff quota is to be determined by reference to an annual basic amount, calculated in hectolitres of pure alcohol, equal to the amount of the imports effected during the best of the latest years for which statistics are available. This basic amount is to be subject to a rate of growth of 13%. This rate may be modified each year, either upwards or downwards, in the light of certain criteria.
 - 1.2 The annual tariff quota is to be shared among the Member States taking in account actual trends on the markets, the needs of the Member States and the economic prospects for the period concerned.
2. Imports of the products in question effected during the last three years were as follows :

- in hl of pure alcohol -

	1973	1974	1975
Benelux	5,848	1,565	1,100
Denmark	117	152	137
Germany	56,876	23,102	70,188
France	-	-	-
Ireland	6	13	7
Italy	-	6	-
United Kingdom	-	-	5
	<hr/> 62,847	<hr/> 24,838	<hr/> 71,437

- 2.1 It follows from these figures that the quantities relative to the year 1975 should be taken as determining the annual basic amount.
Having regard to the present over-all position concerning the products in question the rate of growth applicable to the basic amount may be taken as 13%.
- 2.2 In these circumstances, the volume of the Community tariff quota for the period from 1 July 1976 to 30 June 1977 should be fixed as 80,724 hectolitres of pure alcohol.
- 2.3 In the present instance, as an exception, it is advisable not to divide the quota volume into two instalments one of which would constitute a reserve. Instead, a method of use based on a single division among the Member States is envisaged.
3. It is proposed that the draft regulation of the Council on the opening, allocation and administration of the Community tariff quota outlined above be approved.

PROPOSAL FOR A

COUNCIL REGULATION (EEC) No

of

on the opening, allocation and administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community
(Year 1976/1977)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Having regard to Council Decision 76/198/EEC of 9 February 1976 on import arrangements for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community (1),

Having regard to the proposal from the Commission,

Whereas Decision 76/198/EEC stipulates that rum, arrack and tafia shall be imported into the Community free of customs duties within the limits of a Community tariff quota; whereas the annual volume of the quota for the period from 1 July to 30 June is to be fixed on the basis of a basic annual quantity, calculated in hectolitres of pure alcohol, to which a rate of growth of 13 % is to be applied, equal to the amount of imports during the best of the last three years for which statistics are available; whereas this rate may be modified in the light of certain criteria;

Whereas Community statistics for the last three years 1973 to 1975 show that the highest volume of imports into the Community of the products in question originating in the said countries and territories took place in 1975, namely 71,437 hectolitres of pure alcohol; whereas in the light of consumption and production within the Community and of the development of trade both within the Community and between the Community, the said countries and territories and the ACP states, the rate of growth for the quota period in question should be 13%;

Whereas the amount of the quota for the period from 1 July 1976 to 30 June 1977 should therefore be fixed at 80 724 hectolitres of pure alcohol;

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made

for a method of use based on a single division amongst Member States;

Whereas, taking into account actual trends on the markets for the products in question, the needs of the Member States and the economic prospects for the period under consideration, the initial percentage shares in the quota volume will be as follows:

Benelux	5.35
Denmark	0.25
Germany	94.86
France	0.01
Ireland	0.01
Italy	0.01
United Kingdom	0.01;

Whereas the development of imports into the Community of these products should be recorded and imports should accordingly be monitored;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1976 until 30 June 1977 rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the countries and territories referred to in Article 1 of Decision 76/198/EEC shall be imported free of customs duty into the Community within the limits of a Community tariff quota of 80 724 hectolitres of pure alcohol.

(1) OJ No L 37, of 12.2.1976, p. 24.

2. The rules of origin applicable to the products referred to in paragraph 1 shall be those mentioned in Article 5 of Decision 76/198/EEC.

Article 2

The Community tariff quota referred to in Article 1 shall be allocated amongst the Member States as follows:

	<i>hectolitres of pure alcohol</i>
Benelux	4 320
Denmark	202
Germany	76 170
France	8
Ireland	8
Italy	8
United Kingdom	8

Article 3

1. Member States shall ensure that importers of the goods in question who are established in their territory, shall have free access to the shares allocated to them.

2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question originating in the said countries and territories declared at customs for clearance for home use.

Article 4

1. In accordance with Article 6 of Decision 76/198/EEC, the Community shall monitor imports

of the products in question originating in the said countries and territories.

2. Member States shall forward to the Commission not later than the 15th day of each month statements of imports of the products in question effected during the preceding month; only products submitted to the customs authorities under cover of a declaration that they are to be made available for home use and accompanied by a movement certificate conforming to the rules referred to in Article 1 (2) shall be taken into consideration for this purpose.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.

4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures to ensure the implementation of this Regulation in close co-operation with the Member States.

Article 6

This Regulation shall enter into force on 1 July 1976.

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

Done at Brussels,

For the Council

The President