

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(76) 191 final
Brussels, 6 May 1976

Proposal for a
REGULATION (EEC) OF THE COUNCIL

on the opening, allocation and administration of a Community
tariff quota for products falling within subheading 22.09 C I
of the Common Customs Tariff, originating in the ACP States
(1976/1977)

(submitted to the Council by the Commission)

COM(76) 191 final

EXPLANATORY MEMORANDUM

1. The Convention between the ACP States and the EEC together with Protocol No 7 provides that the products falling within subheading No 22.09 C I of the CCT (rum, arrack, tafia), originating in the ACP States, shall be imported duty free into the Community. These preferential arrangements are restricted, however, to a quantity which is to be fixed annually by the Community on the basis of the largest quantities imported annually from the ACP States during the last three years for which statistics are available, increased by an annual growth rate of 40% on the British market and 13% on the other Community markets.

The declaration contained in the Council Minutes (meeting of 13-15 January 1975) provides for the allocation of the annual quantity among the Member States under Community Tariff quota arrangements.

On the basis of an exchange of letters relating to the advance implementation of these provisions the Community has already opened a Community tariff quota for the goods in question. This tariff quota ends on 30 June 1976. Therefore, such a tariff quota has to be opened for a new period from 1 July 1976 until 30 June 1977.

2. Imports of the products concerned during the last three years were as follows :

	- in hectolitres of pure alcohol -		
	<u>1973</u>	<u>1974</u>	<u>1975</u>
Benelux	2 422	3 399	2 914
Denmark	2 604	2 608	2 720
Germany	2 600	9 153	14 624
France	4 627	10 424	8 169
Ireland	1 599	1 898	1 654
Italy	500	602	103
United Kingdom	84 422	93 056	72 181
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	98 774	121 140	102 365

.../...

The quota volume to be taken into account on this basis for the period from 1 July 1976 until 30 June 1977 should be 162 013 hectolitres of pure alcohol.

3. In this case, exceptional provision should be made not to divide the quota volume into two instalments including a reserve. A method of use is therefore provided for based on a single allocation amongst Member States.

This allocation should be based on the largest quantities imported annually into each Member State during the three years referred to above, taking into account, however, the two previously mentioned growth rates.

4. It is proposed that the proposal for a Council Regulation described above should be approved (see annex).

Proposal for a
COUNCIL REGULATION (EEC) N° .../76

of

on the opening, allocation and administration of a Community tariff quota for products falling within subheading 22.09 C I of the Common Customs Tariff, originating in the ACP States (1976/1977).

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 ACP-EEC Lomé Convention signed on 28 February 1975, together with Protocol 7 annexed thereto, provides that

until the entry into force of a common organization of the market in spirits, products falling within tariff subheading 22.09 C I (rum, arrack, tafia), originating in the ACP States, shall be imported into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the last three years for which statistics are available, increased by an annual growth rate of 40% on the market of the United Kingdom and 13% on the other markets of the Community, these growth rates being based on foreseeable internal demand in each Member State;

Having regard to the levels reached by imports of the products concerned into the Community and the Member States during the last three years for which statistical information is available; whereas the amount of the tariff quota for the period from 1 July 1976 to 30 June 1977 should therefore be fixed at 162 013 hectolitres of pure alcohol;

.../...

Whereas a Community tariff arrangement based on an allocation between the Member States would seem to preserve the Community nature of the quota; whereas in this case the tariff quota should be allocated amongst the Member States on the basis of the largest quantities imported annually into every Member State during the three last years and taking into account the above mentioned growth rates;

Whereas, owing to the special character of the products in question and their sensivity on Community markets, exceptional provision should be made for an arrangement based on a single allocation amongst Member States;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are jointly represented by the Benelux Exconomic 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

From 1 July 1976 until 30 June 1977 rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff, originating in the ACP States, shall be imported duty free into the Community within the limits of a Community tariff quota of 162 013 hectolitres of pure alcohol.

Article 2

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

	(hectolitres of pure alcohol)
Benelux	3 205
Denmark	2 570
Germany	13 805
France	9 806
Ireland	1 777
Italy	572
United Kingdom	130 278

.../...

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. Member States shall inform the Commission each month of imports actually charged against the tariff quota.
2. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.
3. 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