

# COMMISSION OF THE EUROPEAN COMMUNITIES

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DRAFT

REGULATION (EEC) OF THE COUNCIL

on the opening, allocation and administration of a Community tariff  
quota for rosin, including 'brais resineux' falling within  
subheading No 38.08 A of the Common Customs Tariff for 1975.

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(submitted to the Council by the Commission)

## EXPLANATORY MEMORANDUM

1. The purpose of this memorandum is to submit to the Council a draft Regulation on the opening, allocation and administration of an autonomous duty free Community tariff quota for rosins falling within subheading 38.08 A of the CCT for 1975 which does not exceed the limits permitted by Protocol No 10 annexed to the Agreement between the Community and Greece. This Protocol lays down that the Community may, without the approval of the Association Council EEC/Greece, open a tariff quota of an amount not exceeding 15 % of the Community imports of these products from not associated third countries during the latest year for which statistics are available.
  
2. Since the imports of these products in 1973 have risen to 171.164 metric tons, the Community tariff quota must be fixed at an amount of 25.673 metric tons. Since the Community tariff quota in question is relatively small and will undoubtedly be used up quickly in the Member States it does not seem that an allocation of it in shares among the Member States would derogate from the Community nature thereof. Such a solution has previously been availed in cases of this nature.

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REGULATION (EEC) OF THE COUNCIL

on the opening, allocation and administration of a Community tariff quota for rosin, including 'brais résineux' falling within subheading No 38.08 A of the Common Customs Tariff for 1975

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission;

Whereas the production in the Community and in Greece of resin, falling within subheading No 38.08 A of the Common Customs Tariff, is now insufficient to meet the requirements of the processing industries in the Community; whereas, consequently, Community supplies of products of this type depend to a considerable extent on imports from third countries;

Whereas by virtue of Protocol No 10 annexed to the Agreement creating an Association with Greece, the Community may open autonomous tariff quotas on condition that these do not exceed annually for the rosins in question 15 % of the total imports in the Community from third countries during the latest year for which statistics are available; whereas urgent Community requirements of the products in question should be met immediately on the most favourable terms; whereas a tax free tariff quota should therefore be opened within the abovementioned limit;

Whereas in 1973 the imports of rosin from third countries were as follows:

Benelux	27.384	metric tons
Denmark	2.200	metric tons
Germany	71.056	metric tons
France	32.259	metric tons
Ireland	7	metric tons
Italy	20.638	metric tons
United Kingdom	17.620	metric tons
	171.164	metric tons

Whereas 15 % of this total represents 25.61 metric tons;

Whereas, in view of the negligible size of such a quota in comparison with the Community's requirements, a system of utilization should, without derogating from the Community nature of the tariff quota, be provided based on a single allocation between the Member States; whereas this allocation should be calculated by the same method as is used to establish a total quota of 15 % of the imports of each Member State from third countries; whereas, calculated in such a manner this allocation should be as follows:

Benelux	4.107	metric tons
Denmark	330	metric tons
Germany	10.658	metric tons
France	4.839	metric tons
Ireland	1	metric tons
Italy	3.095	metric tons
United Kingdom	2.643	metric tons

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 shares allocated to that Economic Union may be carried out by one of its members,

HAS ADOPTED THIS REGULATION:

*Article 1*

During the period from 1 January to 31 December 1975 the duty of the Common Customs Tariff for resin including 'brais résineux' falling within subheading No 38.08 A shall be totally suspended in respect of a Community tariff quota of 25.673 metric tons.

The tariff quota rate of duty to be applied by the new Member States shall be nil.

*Article 2*

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

Benelux	4.107	metric tons
Denmark	330	metric tons
Germany	10.658	metric tons
France	4.839	metric tons
Ireland	1	metric tons
Italy	3.095	metric tons
United Kingdom	2.643	metric tons

*Article 3*

1. The Member States shall ensure that importers of the said product established in their territory have free access to the shares allocated to them.
2. The extent to which the shares of Member States have been used up shall be determined on the

basis of the imports of the product concerned entered for home use.

*Article 4*

The Member States shall regularly inform the Commission of imports actually charged against their shares.

*Article 5*

The Member States and the Commission shall cooperate closely to ensure that this Regulation is observed.

*Article 6*

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.

*For the Council*

*The President*