## COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 3 October 1990

## $441.2(70)$

Draft
decision of the representatives of the governments of the member states of
THE EUROPEAN COAL AND STEEL CUMMUNITY, MEETING WITHIN THE COUNCIL
establishing ceilings and Community supervision for imports of certain goods falling within the ECSC Treaty originating in Yugoslavia (1991)

1. The Agreement between the Member States of the European Coal and Steel Community and the European Coal and Steel Community on the one hand and the Socialist Federal Republic of Yugoslavia on the other hand provides for duty-free import into the Community of certain steel product falling under Chapters 26,27 and 73 of the Common Customs tariff and originating in Yugoslavia. As an exception to this provision Article 3 stipulates that the imports of some of these goods shall be subject to ceilings above which the customs duties applicable to third countries may be introduced until the end of the calendar year (1).
2. Article 12 of the Agreement provides for the progressive abolition of trade obstacles to be carried on in stages, the first stage of 5 years having expired on 31 March 1988. Pending conclusion of an additional Protocol to this Agreement, the Representatives of the Governments of the Member States have extended by Decision ( $88 / 652 / E C S C$ ), the system provided for by Article 3 of the Agreement for the year 1991.
3. Within the limits of these tariff ceilings, the Kingdom of Spain and the Portuguese Republic shall apply customs duties celculated according to Decision 87/603/ECSC of the Rpresentatives of the Governments of the Member States, meeting with the Council, and of the Commission of 21 December 1987 Laying down the arrangements for Spain's and Portugal's trade with Yugoslavia in products falling under the ECSC Treaty and amending Decisions 86/69/ECSC and 87/456/ECSC.
4. The draft Decision joined hereto has as its objective:

- to establish the ceilings to be applied in 1991 for imports of certain steel products originating in Yugoslavia,
- to establish the rules under which customs duties may be reintroduced under certain conditions and
- to establish a system of surveillance relating to imports of the product subject to ceilings.

[^0]5. Implementation of these two measures:
(a) annual ceilings, and
(b) reintroduction of customs duties, implies the adoption of precise common rules to be applied uniformly by all Member States. These requirements may be met by the establishment of a Community system of surveillance of actual imports from the partner country. To this end, the Member States should take appropriate measures to permit the rapid collection of statistical returns at Community level. In this connection it is necessary to take into account only imports of the products in question as and when they are entered with Customs authorities for free circulation to the rules contained in the Agreement referred to under 1 above.

These returns should be drawn up by each Member State at the end of every month and forwarded by the fifteenth day of the following month to the Commission so as to enable the latter to communicate to all the Member States the overall, product-by-product returns for the imports in question in the preceeding month. The system of surveillance will require diligent and close co-operation between the responsible departments of the Member States and the Commission.
6. The following system would be adopted for setting in train machinery to reintroduce duties: if one of the overall monthly returns drawn up by the Commission revealed that $75 \%$ of the ceiling fixed for a given product had been reached, consultations could be held, for example in the working Party on Economic Tariff Problems, either at the request of a Member State or upon the Commission's initiative. The aim of these consultations would be to examine, case by case, the reintroduction or not of the levying of customs duties applicable to third countries once the ceiling is actually reached. Monthly returns would will be made in respect of imports of the product in question or, if requested by the Commission, by telex at intervals of ten days. The maximum delay for the transmisison of this last mentioned information is five days.
7. As far as application of the rule on ceilings and reintroduction of duties is concerned, the drafts make provisions for conferring powers of the Council upon the Commission.

In these conditions the Commission would be able within the shortest possible time, either to take measures leading to the reintroduction of customs duties in respect of the partner country until the end of the calendar year, or to coordinate the necessary procedures in the case of the initiative being taken by a Member State.

The draft Decision does not more than outline in broad terms how these powers are to be exercised so that, the machinery to be established may be adopted flexibly and rapidly, in close collaboration with the Member States.

# DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL, 

of<br>establishing ceilings and Community supervision for imports of certain goods falling within the ECSC Treaty originating in Yugoslavia (1991)

HII RIPRISNI HINGGOF HII GOVI RNMI:NTGOF THI:
 COMMLINITY, MEF TINC, WITHIN THE COUNCIL,

In agreement with the Commission,
H.WIt DE (IDED IS FOLAOWS:

## Article 1

1. From 1 January to 31 December 1997 mports into the Community of certan products originating in Yugoslavia and indicated in Article 3 of the Agreement between the Member States of the European Coal and Steel Community, of the one part, and the Socialist Federal Republic of Yugoslavid, of the other part (1), shall be subject to annual ceilings and to Community supervision in the Communty.
2. In applaituon of the provisions of Article 12 of the Agrement, the contractung parties wall begm negotiations towards concluding an additional Protocol to the Agreement determining the future regime of their commerce. Pending the conclusion of the Protocol in question, the Community, b) Dection $88 / 652 / E C S C\left({ }^{2}\right)$, has extended the system provided for by Aricle 3 of the Agreement.
3. Within the limuts of these tariff ceilings, the Kingdom of Span and the Portugucse Republic shall apply customs duties calculated according to Decision 87/603/ECSC of the Representatives of the Governments of the Member States, mecting withon the Council, and of the Commission of 21 December 1987 laying down the arrangements for
[^1]Spain's and Portugal's trade with Yugoslavia in products falling under the ECSC Treaty and amending Decisions 86/69/ECSC and 87/456/ECSC ${ }^{(3)}$.

The description of the goods referred to in the preceding subparagraph, their CN codes and the levels of the indicative ceilings are given in the Annex hereto.
4. Amounts shall be set off against the ceilings as and when the goods are entered with customs authorities for free circulation and accompanied by a movement certificate conforming to the rules contained in Protocol 3 to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia (4).

Goods shall be set off against the ceilings only if the movement certificate has been submitted before the date on which customs duties are re-established.

The reaching of a ceiling shall be determined at Community level on the basis of imports set off against it in the manner defined in the preceding subparagraphs.

The Member States shall periodically inform the Commission of imports effected in accordance with the above rules; such information shall be supplied under the conditions laid down in paragraph 6.
5. As soon as the ceilings are reached at Community level, Member States may at any time, at the request of any one of them or of the Commission, and in respect of the whole of the Community, re-establish the levying of the customs duties applicable to third countries.

[^2]Within the framework of the foregoing provisions, the Commission shall coordinate the procedures for reestablishing the customs duties, applicable to third countries, in particular by notifying the date common to the whole of the Community and directly applicable in each Member State. The nontication shall be published in the Official Journal of the European Commentates.
6. Member States shall forward to the Commission, not later than the 15 th day of each month, statements of the amounts set off during the preceding month. They shall, if the Commission so requests, make up such statements for periods of 10 days and forward them within five clear days of expiry of the preceding 10-day period.

## Article 2

Member States and the Commission shall cooperate closely to ensure that this Decision is complied with

## Article 3

Member States shall take all measures necessary to implement this Decision.

## Done at Brussels,

ANNEX (a)

| Order | CN code: ${ }^{\text {a }}$ | Description | Ceiling (tonnes) |
| :---: | :---: | :---: | :---: |
| (1) | '2 | (3) | 4) |
| 06.0010 | $\begin{aligned} & 72011011 \\ & -2011019 \\ & -2011130 \\ & 22011090 \\ & -20120100 \\ & 72013010 \\ & -2013090 \\ & 72014000 \end{aligned}$ | Pig iron and spiegelessen in pigs, blocks or other primary forms: <br> - Non-allov pig iron containing by weight $0,5 \%$ or less of phosphorus: <br> - - Containing by weight not less than $0,4 \%$ of manganese: <br> - - Containing by weight $1 \%$ or less of sticon <br> -- - Contanng by weight more than $1 \%$ of silicon <br> - - Containing by weight not less than $0,1 \%$ but less than $0,4 \%$ of manganese <br> - - Contanning by weight less than $0,1 \%$ of manganese <br> - Nen-alloy pre ron contaning by weight more than $0.5 \%$ of phosphorus <br> - Alloy pig aron: <br> - - Contaming by weight not less than $0,3 \%$ but not more than $1 \%$ of ttanium and not less than $0,5 \%$ but not more than $1 \%$ of vanadium <br> - Other <br> - Spiegeleisen <br> Ferro-alloys: <br> Other: <br> - Other: <br> - - Ferro-phosphorus: <br> Contaming by weight more than $3 \%$ but less than $15 \%$ of phosphorus <br> Ferrous products obtained by direct reduction of iron ore and other spongy ferrous products, in lumps, pellets or similar forms; tron having a minmum purity by weight of $99.94 \%$, in lumps, pellets or similar forms: <br> - Other |  |
| 060020 | $\begin{aligned} & 72081100 \\ & 72081210 \\ & 72081291 \\ & 72081299 \\ & 72081: 10 \\ & 72081391 \\ & 72081399 \\ & 72081410 \\ & 72081490 \\ & 7 \end{aligned}$ | Fhat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, hut-rolled, not clad, plated or coated: <br> - In colls, not further worked than hot-rolled, of a thickness of less than 3 mm and having a minımum yield point of 275 MPa or of a thickness of 3 mm or more and having a minımum yeld point of 355 MPa : <br> - Of a thickness exceeding 10 mm <br> - - Of a thickness of $4,75 \mathrm{~mm}$ or more but not exceeding 10 mm : <br> - - - Intended for re-rolling (') <br> - - Other: <br> - - - With patterns in relief <br> - - - Other <br> - Of a thickness of 3 mm or more but less than $4,75 \mathrm{~mm}$ : <br> Intended for re-rolling (') <br> Oher: <br> -. . - - With patterns in rellef <br> - - - - Other <br> - - Of a thickness of less than 3 mm : <br> - . . Intended for re-rolling (') <br> - - - Orher <br> - Other, in coals, not further worked than hot-rolled: <br> - Ot a thichness exceeding 10 mm : <br> - - With patterns in relief | 40805 |

[^3](A) Notwithstanding the rules for the interpretition of the combined nomenclature, the wording for the designation of the products is to be considered as having no more than an andicative value, the preferential scheme being determined, within the context of this Annex, by the applicanon of CN codes. Where ex CN code positions are indicated, the preferential scheme is to be derermined by application of the CN code and corresponding description taken together
(*) The Taric coder are to be found on the last page of this Annex.


[^4]| $\begin{aligned} & \text { Order } \\ & \mathrm{N}_{1} \end{aligned}$ | ( $\mathrm{N}_{\text {code }}$ | Description | Ceting (tonnes) |
| :---: | :---: | :---: | :---: |
| 1 | $\cdots$ | (3) | 14 |
| 06.0030 cunt d | $\begin{aligned} & -2142000 \\ & -2144010 \\ & -2144091 \\ & -2144099 \\ & -2145010 \\ & -2146041 \\ & -214.5099 \\ & -2159010 \\ & -2288090 \end{aligned}$ | Other hars and rods of other alloy steel, not further worked than forged hot-rolled, hot-driwn or hot-extruded but including those twisted after rolling: <br> - Contaming indentations, ribs, grooves, or other deformations produced during the rolling process or twisted after rolling <br> Oher, contaming by wemghtess than $0,25 \%$ of carbon <br> - Other, contaming by weight $0,25 \%$ or more but less than $0,6 \%$ of carbon <br> Other bars and rods of iron or non-alloy steel: <br> - Other: <br> - - Hot-rolled, hot-drawn or extruded not further worked than clad <br> Other bars and rods of orher alloy steel, angles, shapes and sectuons of other alloy teed: <br> - Hollow drill bars and rods: <br> - - Of non-alloy steel | $\underset{(c o n t ' d)}{2687}$ |
| 06. 116411 |  |  <br> -. ( ontamang by weight less than $0,25 \%$ of carbon: <br> - Other: <br> - - Blanks for angles, shapes and sections: <br> - - - Rolled or obtained by continuous casting <br> - Contanning by weight $0,25 \%$ or more of carbon: <br> - - Blanks for angles, shapes and sections: <br> - - Rolled or obtaıned by contınuous casting <br> Angles, shapes and sections of tron of non-alloy steel: <br> - U-, 1- or li-sectoons, not further worked than hot-rolled, hot-drawn or extruded, of a height of less than 80 mm <br> - L- or T-sections, not further worked than hot-rolled, hot-drawn or extruded of a heught of less than 80 mm <br> - - - Of a height of 80 mm or more but not exceeding 220 mm : <br> - - - - With parallel flange faces <br> - - - - - <br> - - - Of a height of more than 220 mm : <br> - - - With $\mathrm{ff}^{\text {rallel }}$ flange faces <br> Ohins <br> - - Ot a hetght of 80 mm or more but not exceeding 220 mm : <br> ———— with $\left)^{\text {arallel flange faces }}\right.$ <br> - - - Othet <br> - - Of a height of more than 220 mm : <br> $\cdots-W_{1 t h}(1)^{\text {arallel flange faces }}$ <br> - - - Other <br> ———Or orepht of 80 mm or more but not exceeding 180 mm <br> - - - Of a height of more than 180 mm <br> - 1.- or 1-sciom? not further worked than hot-rolled, hot-drawn or extruded, of a height of 80 mm or more <br> - Other angles, shapes and sections, not further worked than hot-rolled, hot-drawn or extruded <br> - Other: <br> - - Hot-rolled, hot-drawn or extruded, not further worked than clad: <br> Sheet piling of iron or steel, whether or not drilled, punched or made from assembled clements, welded .mgles, shapes and sectuons, of iron or steel <br> sheet pting | 3834 |

[^5]| Order N, | C.) code | Descriptom | Cerling (tonner) |
| :---: | :---: | :---: | :---: |
| (1) | $\cdots$ | (3) | (4) |
| 16,0050 | $\begin{aligned} & \text { ex } 72111290 \\ & \text { ex } 22111991 \\ & -2111999 \\ & \text { w-2112290 } \\ & \text { w-2112991 } \\ & \text { w } 2112444 \\ & \text { ex } 72126091 \end{aligned}$ |  plated or coited <br> Not turther worhed than hot-rolled, of a thaknewot lew than 3 min and having a <br>  momimum yedd point of 355 MPa : <br> -- - Other, of a thickness of $4,75 \mathrm{~mm}$ or more: <br> - - Of a widh nor exceeding 500 mm : <br> - (') <br> - Other: <br> - - - Of a width not exceeding 500 mm : <br> - - Of a thickness of 3 mm or more but less than $4,75 \mathrm{~mm}$ : <br> - (2) <br> - - - Of a thickness of less than 3 mm : <br> - (1) <br> - Other, not further worked than hot-rolied: <br> - Other, of a thickness of $4,75 \mathrm{~mm}$ or more: <br> - - Of a width not exceeding 500 mm : <br> - (') <br> - Other, not further worked than hot-rolled: <br> - - Other: <br> - - Of a width not exceeding 500 mm (ECSC): <br> Of a thichness of 3 mon or more but ken h.me 4.75 mm: <br> (1) <br> - - -. - Of a thachness of lew than 3 mm : <br> (') <br> - Other, nor further worked than cold-rolled (cold-reduced): <br> - - Containing by weight less than $0,25 \%$ of carbon: <br> .- - - Of a width not exceeding 500 mm : <br> - - - In coils intended for the manufacture of an plate <br> - Clad: <br> - - Of a width not exceeding 500 mm : <br> - - Not further worked than surface-treated: <br> - - - Hot-rolled, not further worked than clad: | 7928 |
| 06.0060 |  | Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, hot-rolied, not clad, plated or coated: <br> - Not in coils, not further worked than hot-rolled, of a rhickness of less than 3 mm and having a minmum yield point of 275 MPa or of a thickness of 3 mm or more and having a minimum yield point of 355 MPa : <br> - Other, of a thickness exceeding 10 mm <br> - - Other, of a thickness of $4,75 \mathrm{~mm}$ or more but not exceeding 10 mm <br> - - Other, of a thickness of 3 mm or more but less than $4,75 \mathrm{~mm}$ <br> - - Other, of a thickness of less than 3 mm <br> - Other, not in coils, not further worked than hot-rolled | 49179 |

[^6] separately and less than $0,07 \%$ of these elements taken together.




[^7]

[^8]


[^9]$-10-$



722550 $4 \times 7250$

- Other, not further worked than cold-rolled (cold-reduced)
containing by weight less than $0,6 \%$ of silicon and not less than $0,3 \%$ but not more than $1 \%$ of aluminium
- (1)
ex 7225090
-2. numbers;


## 72281010

-251030
-2282011
-288019
$-282030$
72283010 - Other bars and rods, not further worked than hot-rolled, hot-drawn or extruded
-228 30 30 - - Of rectangular cross-section, rolled on four faces

-     - Other
-     - Hot-rolled, hot-drawn or extruded not further worked than clad
- Angles, shapes and sections:

72287010

-     - Not further worked than hot-rolled hor-drawn or extruded
- Not further worked than cold-rolled (cold-reduced):
-     - Of a width exceeding 500 mm
- Other:
-     - Of a width exceeding 500 mm :
-220 90) 11 : - - Nor further worked, than surface-treated, including cladding - - Ot a width not exceeding 500 mm :
- Not further worked than surface-treated, including cladding:
- Hot-rolled, not further worked than clad

Other bars, and rods of stamps steel; shapes and sections of stainless steel:
Bars and rods, not further worked than hot-rolled, hot-drawn or extruded
$-2221019$
7222 10.51
-2221059
72221099



TARIC codes

| Order No | CN code | Taric code |
| :---: | :---: | :---: |
| 06.0020 | ex 72111210 <br> ex 72111910 <br> ex 72112210 <br> ex 72112910 | $\begin{aligned} & 72111210 \cdot 12 \\ & 72111210 \cdot 91 \\ & 72111910 \cdot 12 \\ & 72111910 \star 14 \\ & 72111910 \cdot 91 \\ & 72112210 \cdot 12 \\ & 72112210 \cdot 91 \\ & 72112910 \cdot 12 \\ & 72112910 * 14 \\ & 72112910 \cdot 91 \end{aligned}$ |
| 06.0040 | ex 72163111 <br> ex 72163119 <br> ex 72163191 <br> ex 72163199 <br> ex $7216 \quad 3211$ <br> ex 72163219 <br> ex 72163291 <br> ex 72163299 <br> ex 72163310 <br> ex 72163390 | 7216 31 11 $\star 10$ <br> 7216 31 11 $* 99$ <br> 7216 31 19 $\star 10$ <br> 7216 31 19 $\star 99$ <br> 7216 31 91 $\star 10$ <br> 7216 31 91 $* 99$ <br> 7216 31 99 $\star 10$ <br> 7216 31 99 $* 99$ <br> 7216 32 11 $\star 10$ <br> 7216 32 11 $\star 99$ <br> 7216 32 19 $* 10$ <br> 7216 32 19 $\star 99$ <br> 7216 32 91 $\star 10$ <br> 7216 32 91 $\star 99$ <br> 7216 32 99 $\star 10$ <br> 7216 32 99 $* 99$ <br> 7216 33 10 $* 90$ <br> 7216 33 90 $* 90$ |
| 06.0050 | $\begin{aligned} & \text { ex } 72111290 \\ & \text { ex } 72111991 \\ & \text { ex } 72111999 \\ & \text { ex } 72112990 \\ & \text { ex } 72112991 \\ & \text { ex } 72112999 \\ & \text { ex } 72126091 \end{aligned}$ | $\begin{aligned} & 72111290 \cdot 90 \\ & 72111991 \cdot 90 \\ & 72111999 \cdot 90 \\ & 72112290 \cdot 90 \\ & 72112991 \cdot 90 \\ & 72112999 \cdot 90 \\ & 72126091 \cdot 90 \end{aligned}$ |
| 06.0060 | $\text { ex } 72111210$ $\text { ex } 72111910$ | $\begin{aligned} & 72111210 \cdot 18 \\ & 72111210 \cdot 19 \\ & 72111210 \cdot 99 \\ & 72111910 \cdot 13 \\ & 7 / 111!\cdots 11: 15 \end{aligned}$ |



Cette proposition est formulée en conformité avec un engagement contractuel de la Communauté. L'impact découlant de cette concession a été pris en considération lors de la prise de décision d'adoption de ce contingent et il n'aura pas un caractère sérieux sur la compétitivité et l'emploi dans la Communauté.

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## DOCUMENTS

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[^0]:    (1) The amounts of certain of these ceilings have been increased autonomously by DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY MEETING WITHIN THE COUNCIL of 18.4 .1983 laying down the arrangements applicable to trade between Greece and Yugoslavia in products covered by that Community (OJ No L 126, 13.5.1983, p. 18).

[^1]:    (1) OJ NoL 41.14.2.1983, p. 113.
    ${ }^{(2)}$ OJ No L $367,31.12 .1988$, p. 78.

[^2]:    (3) OJ No L 389, 31. 12. 1987, p. 61.
    (4) OJ No L 41, 14. 2. 1983, p. 2.

[^3]:    (') Ener within this able is subect to conditions lad down in the relevant Community provisioms.

[^4]:    (1) Fairy within this code is subject to conditions lad down in the relevant Community provisions.
    (2) Hat-rolled products of a weight of 500 kg or more

[^5]:    (:) Other than products containing, bv weighe, not lew than $0,60 \%$ of carbon and having a content, by weight, less than $0,04 \%$ of phoaphorus and sulphur zaken separatels and less than $0,0, \%$ of these elements taken togeriher.

[^6]:    (1) Other than products contaning, by weight, not lew than $0,60 \%$ of carbon and having a content, by weight, less than $0,04 \%$ of phosphorus and suiphur taken

[^7]:    (1) Not including flat-rolled products of a weight of 500 kg or more

[^8]:    (, Not maluding lint-rolled products of a weight of 500 kg or more.
    12 ( onfianme, by weight, nor lew th.un $0,6 \%$ of carbon and hiving a content, by weight, less than $0.04 \%$ of phomphorus and sulphur taken separately and less than $11.07 \%$, of there elementis isken tugether

[^9]:    i) Contaming, bi weight, not less than $0,6 \%$ of carbon and having a content, by weight, less than $0,04 \%$ of phosphorus and sulphur taken separately and less than
    $0,07 \%$ of these elements taken together.

