

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 545 final

Brussels, 2<sup>nd</sup> September 1982

Draft

## COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of a Community tariff quota for dried grapes in immediate containers of a net capacity of 15 kilograms or less falling within subheading 08.04 B I of the Common Customs Tariff (1983)

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(submitted to the Council by the Commission)

COM(82) 545 final



## EXPLANATORY MEMORANDUM

1. The draft Regulation annexed hereto concerns the erga omnes Community tariff quota for dried grapes in immediate containers of a net capacity of 15 kilograms or less, falling within subheading 08.04 B I of the Common Customs Tariff, to be opened for 1983.

This quota was originally provided for in the trade agreement between the Community and Iran, but as the term of validity of this agreement was not extended after 30 November 1973 the Community has deemed it desirable, since 1974, to open autonomously a tariff quota for such goods.

During a consultation meeting held in April 1982 the delegations of the Member States gave sympathetic consideration to the opening of an autonomous tariff quota for 1983 at a duty of 2 %, the volume of which was to be equivalent to that opened for 1982 by Regulation (EEC) No 3227/81 of 9 November 1981 (1).

2. This being a Community tariff quota of a volume which is relatively low as compared with the Community's total imports and which undoubtedly will also be rapidly used up in all the Member States, it is felt that an allocation into quotas allotted definitively to all the Member States does not derogate from the Community character of the tariff quota concerned. In cases of this kind, a similar solution has already been previously adopted.
3. With regard to the allocation among the Member States the Commission proposes that the one adopted for 1982 be adhered to, since it fulfils the conditions usually set out in such matters.

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(1) OJ No L 325, 13.11.1981, p. 7.



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COUNCIL REGULATION (EEC).

**opening, allocating and providing for the administration of a Community tariff quota for dried grapes in immediate containers of a net capacity of 15 kilograms or less falling within subheading 08.04 B I of the Common Customs Tariff (1983)**

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 a Community tariff quota for dried grapes in immediate containers of a net capacity of 15 kilograms or less, falling within subheading 08.04 B I of the Common Customs Tariff, should be opened for 1983 at a duty of 2 % the volume of which shall be limited to 6 500 tonnes, taking into account the existence of Community production :

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 may be calculated *pro rata* on the basis of the import requirements, of each Member State, coming from third countries not associated with, or linked to the Community by a preferential agreement ; whereas, in order to safeguard the Community nature of the quota, a share should be allocated to Greece by levying the same quantity on the volume of the quota ; whereas, calculated in such a manner, this allocation is as set out in Article 2 ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

1. During the period 1 January to 31 December 1983 a Community tariff quota of 6 500 tonnes shall be opened for dried grapes in immediate containers of

a net capacity of 15 kilograms or less falling within subheading 08.04 B I of the Common Customs Tariff.

2. Within the limits of this tariff quota, the Common Customs Tariff duty shall be suspended at the level of 2 %.

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the relevant provisions laid down in the 1979 Act of Accession.

3. Imports of the product in question benefiting from the same or lower customs duties under other preferential arrangements shall not be charged against this tariff quota.

*Article 2*

The tariff quota set out in Article 1 shall be divided among the Member States as follows :

	(tonnes)
Benelux	615
Denmark	260
Germany	1 813
Greece	1
France	444
Ireland	216
Italy	23
United Kingdom	3 128

*Article 3*

1. Member States shall take all appropriate measures to ensure that importers of the product in question have free access to the shares allocated to them.

2. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the product in question entered with the customs authorities for free circulation.

*Article 4*

At the Commission's request, Member States shall inform it of the imports actually charged against their shares.

*Article 5*

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

*Article 6*

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,

*For the Council*

*The President*

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