

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(76) 353 final.

Brussels, 8 July 1976

DRAFT

## 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 1977

(submitted to the Council by the Commission)

COM(76) 353 final.

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 resins falling within subheading 38.08 A of the CCT for 1977 which does not exceed the limits permitted by Decision no 1/75 on the application of the terms of paragraph 3 of Protocol no 10 of the Association Agreement between the Community and Greece. This Decision lays down that <sup>the</sup> Community may, without the approval of the Association Council EEC/Greece, open a tariff quota of an amount not exceeding 25 % of the Community imports of these products from third countries not associated or linked with it by a preferential agreement during the latest year for which statistics are available.
2. These imports in 1975 have amounted to 58 660 metric tons, so the Community tariff quota must be fixed for 1977 at an amount of 14 665 metric tons.
3. 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.
4. The Member States' experts who participated in the consultative meeting of the "Economic Tariff Problems" Group (27/28 April 1976) expressed agreement in principle to the scheme for allocation of shares proposed by the Commission in the framework of the regulations annexed.

Draft

REGULATION (EEC) No .../76 OF THE COUNCIL

of .....

on the opening, allocation and administration of a Community tariff quota for rosin, including 'brais résineux', falling within subheading 38.08 A of the Common Customs Tariff (1977)

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 rosin falling within subheading 38.08 A of the Common Customs Tariff is currently insufficient to meet the requirements of the processing industries in the Community; whereas, consequently, Community supplies of products of this type currently depend to a considerable extent on imports from third countries;

Whereas, under Decision No 1/75 of the Association Council on the application of paragraph 3 of Protocol No 10 to the Agreement establishing an Association between the European Economic Community and Greece, the Community may open autonomous tariff quotas for rosin provided that, for the Community as a whole, the annual quotas do not exceed 25% of the Community's imports from third countries not associated with or linked to it by a preferential agreement during the last year for which statistics are available; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms; whereas a nil duty Community tariff quota should therefore be opened within the limits of the above amount;

Whereas, in 1975, the imports of rosin from third countries not associated with or linked to the Community by a preferential agreement were as follows:

|                | <i>in metric tons</i> |
|----------------|-----------------------|
| Benelux        | 7 638                 |
| Denmark        | 145                   |
| Germany        | 25 329                |
| France         | 7 127                 |
| Ireland        | 81                    |
| Italy          | 9 050                 |
| United Kingdom | 9 290                 |
| Total          | <hr/> 58 660          |

Whereas 25% of this total represents 14.665 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 25% of the imports of each Member State from the same third countries; whereas, calculated in such a manner, this allocation should be 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 shares allocated to that Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

During the period 1 January to 31 December 1977, the Common Customs Tariff duty for rosin including 'brais résineux' falling within subheading

38.08 A shall be totally suspended within the limits of a Community tariff quota of 14 65 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:

|                | <i>in metric tons</i> |
|----------------|-----------------------|
| Benelux        | 1 910                 |
| Denmark        | 36                    |
| Germany        | 6 332                 |
| France         | 1 782                 |
| Ireland        | 20                    |
| Italy          | 2 262                 |
| United Kingdom | 2 323                 |

*Article 3*

1. Member States shall take all appropriate measures to ensure that importers of the product in

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

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question established in their territory 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 home use.

*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 1977.

For the Council  
The President