

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(76) 459 final

Brussels, 8 September 1976.

Proposal for  
a Council Regulation (EEC) opening, allocating and  
providing for administration of tariff quotas for  
certain paper and paperboard, falling within  
subheadings ex 48.01 C II and 48.01 E of the Common  
Customs Tariff, originating in Portugal.

(submitted to the Council by the Commission)

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## EXPLANATORY MEMORANDUM

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On 20 September 1976 the European Economic Community signed an Interim Agreement with the Portuguese Republic. Article 4 of this Agreement lays down that for Kraftliner and for other paper and paperboard falling within subheadings ex 48.01 C II and 48.01 E, originating in Portugal, the Community as originally constituted and Ireland should open for the period 1 January 1976 to 31 December 1983 annual duty-free tariff quotas of 42 000 and 1 500 metric tons respectively. As regards these volumes, the "prorata temporis" clause is applicable.

It seems certain that this Agreement will enter into force on 1 November 1976. These tariff quotas should therefore be opened for the period 1 November to 31 December 1976.

The provisions of the Regulation as usual provide for the allocation of the quota shares among the Member States concerned. This allocation is based on the statistical concessions of priority for the last three years and on the foreseeable development of the market in the products in question during the period concerned.

Moreover, since the tariff quota is small and the quota period very short, it seems advisable not to set up an instalment in respect of the Community reserve.

This is the objective of the proposal.

Proposal for  
Council Regulation (EEC)

opening, allocating and providing for the administration  
of Community tariff quotas for certain paper and paperboard,  
falling within subheadings ex 48.01 C II and 48.01 E of the  
Common Customs Tariff, originating in Portugal

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 Article 4 of the Interim Agreement concluded between the European Economic Community and the Portuguese Republic (1) lays down that the Community as originally constituted and Ireland should open annual duty-free tariff quotas for Kraftliner and for other paper and paperboard falling within subheadings ex 48.01 C II and 48.01 E of the Common Customs Tariff originating in Portugal, of 42 000 and 1 500 metric tons respectively; whereas the "prorata temporis" clause is applicable; whereas the abovementioned Agreement enters into force on 1 November 1976; whereas the tariff quotas in question should therefore be opened on 1 November 1976;

Whereas a system of utilization of the Community tariff quota, based on an allocation among the Member States concerned, would appear consistent with the Community nature of the said quotas; whereas, to represent as closely as possible the actual market trends in the product in question, the allocation should be proportionate to the requirements calculated with reference to statistical data on imports from Portugal during a representative reference period and to the economic prospects for the quota period in question;

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Whereas the corresponding imports by each of the Member States during the past three years for which statistical data are entirely available, represent the following percentages of the total imports of the product concerned :

	CCT subheading ex 48.01 C II			CCT subheading 48.01 E		
	1973	1974	1975	1973	1974	1975
Benelux	-	15.6	20.1	-	-	2.8
Germany	-	24.8	34.7	-	0.1	-
France	38.1	22.6	21.4	99.9	99.9	73.1
Ireland	-	2.9	6.7	0.1	-	24.1
Italy	61.9	34.1	17.1	-	-	-

Whereas, in view of these data and the foreseeable development of the market in the products concerned during the quota period in question, the quota shares may be fixed approximately at the following percentages :

	CCT subheading ex 48.01 C II	CCT subheading 48.01 E
Benelux	18	4
Germany	30	6
France	22	76
Ireland	6	11
Italy	24	3;

Whereas, since the tariff quotas in question are relatively small and the quota period very short, it ought to be possible to provide for a system of allocation based on a single apportionment, without thereby derogating from the Community nature of these tariff quotas; whereas this apportionment could therefore be carried out according to the percentages shown in the abovementioned table;

.../...

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 operation concerning the administration of the quota shares allocated to that economic union may be carried out by any one of its members;

HAS ADOPTED THIS REGULATION :

Article 1

For the period 1 November 1976 to 31 December 1976 duty-free tariff quotas shall be opened in the European Economic Community as originally constituted and Ireland for products originating in Portugal and within the limits shown below :

CCT No	Description of goods	Tariff quota
48.01	Paper and paperboard (including cellulose wadding), machine-made, in rolls or sheets:	
	C. Kraft paper and kraft board :	
	ex II. Other :	
	- Kraftliner	7 000 metric tons
	E. Other	250 metric tons

Article 2

The Community tariff quotas indicated in Article 1 shall be allocated as follows among the Member States mentioned in Article 1 :

- in metric tons -

Member State	Products falling within subheading	
	ex 48.01 C. II	48.01 E
Benelux	1,260	10
Germany	2,100	15
France	1,540	189
Ireland	420	28
Italy	1,680	8

.../...

### Article 3

1. The Member States shall guarantee importers of the product in question established within their territories free access to the quota shares allocated to them.
2. The extent to which the shares of the Member States have been used up shall be verified on the basis of imports of the product in question as the product is presented for customs clearance under the declaration for consumption.

### Article 4

At the Commission's request the Member States shall keep it informed of imports which have been charged against their shares.

### Article 5

The 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 November 1976.

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

Done at Brussels,

For the Council  
The President

