

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 272 final

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Brussels, 17 June 1977

Proposal for a

COUNCIL REGULATION (EEC)

on the opening, allocation and 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 1 of the Common Customs Tariff (1978)

(submitted to the Council by the Commission)

COM(77) 272 final

EXPLANATORY MEMORANDUM

1. The draft Regulation annexed hereto concerns the erga omnes Community tariff quota to be opened for 1977 in respect of dried grapes in immediate containers of a net capacity of 15 kg or less falling within subheading No 08.04 B I of the Common Customs Tariff.

Provision was first made for such quota in the trade agreement concluded between the Community and Iran. Since, however, that agreement expired on 30 November 1973 and was not renewed, the Community considered it desirable since 1974 to open an autonomous tariff quota on the terms and conditions fixed for that agreement.

At the consultation meeting held in April 1977, the delegations of the Member States pronounced themselves in favour of the opening for the year 1978 of an autonomous tariff quota at a duty of 1.2 % of which the amount should, to avoid the preliminary agreement of the Council of Association provided for by the Association Council decision N° 1/75 on the allocation of the provisions of paragraph 3 of Protocol N° 10 of the EEC-Greece Association Agreement, be limited to 15 % of actual Community imports in 1973, coming from third countries not associated with the Community nor linked with it by a preferential agreement.

2. Since the Community tariff quota in question is relatively small compared with total imports into the Community and since all the Member States will undoubtedly exhaust their shares rapidly, a division of the quota into shares allocated definitively to each Member State would not appear to compromise the Community nature of the quota. This solution has been adopted in similar situations in the past.
3. The shares to be allocated on this basis to the Member States, and their respective total 1973 imports from non-associated third countries, are shown in the following table:

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(in metric tons)

	<u>Total 1973 imports</u>	<u>Quota share</u>
Benelux	5 275	791
Denmark	2 236	335
Germany	15 567	2 335
France	3 811	572
Ireland	1 868	280
Italy	205	31
United Kingdom	<u>26 859</u>	<u>4 029</u>
	55 821	8 373

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

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 1 of the Common Customs Tariff, should be opened for 1978 at a duty of 1.2%; whereas the volume of this quota should be limited to 15% of Community imports in 1973 from third countries not associated with the Community nor linked to it by a preferential agreement; whereas, on this basis, the volume of the quota is fixed at 8 373 tonnes;

Whereas, in view of the comparatively low volume of the quota compared with the needs of the Community, a system for its utilization based on a single allocation among Member States should be provided, without derogating from the Community nature of the tariff quota; whereas, in accordance with the needs forecast by each Member State, the shares may be determined 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 1978, a Community tariff quota of 8 373 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 1 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 1.2%.

Article 2

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

	in tonnes
Benelux	791
Denmark	335
Germany	2 335
France	572
Ireland	280
Italy	31
United Kingdom	4 029;

Article 3

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

Member States shall forward to the Commission within 45 days of the publication of this Regulation in the Official Journal of the European Communities, the provisions they have adopted with a view to its application.

Article 7

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels,

For the Council
The President

1. Budget line concerned : Ch. 12 Art. 120
2. Legal basis : Art. 43
3. Title of the tariff measure : Proposal for a regulation (EEC) of the Council on the opening, allocation and administration of a 1978 Community tariff quota for dried grapes falling within subheading No 08.04 B I of the Common Customs Tariff in immediate containers of a net capacity of 15 kg or less
4. Objectives :
Quota limited to the volume laid down in Council of Association EEC-Greece Decision No 1/75.
5. Method of calculation :
 - No of CCT : 08.04 B I
 - Quota volume : 8.373 tonnes
 - Quota duty rate : 1,2 %
 - Duty rate CCT : 4 %
6. Loss of receipts : 140.000 EUR

