

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 198 final

Brussels, 22 May 1978

RECOMMENDATION FOR A COUNCIL REGULATION (EEC)

approving the exchange of letters rectifying Annex A to Protocol No 1
to the Agreement between the European Economic Community and the Kingdom
of Sweden

RECOMMENDATION FOR A COUNCIL REGULATION (EEC)

concerning the conclusion of the Agreement in the form of an exchange
of letters rectifying Annex A to Protocol No 1 to the Agreement between
the European Economic Community and the Kingdom of Sweden

(submitted to the Council by the Commission)

COM(78) 198 final

Explanatory memorandum

1. The agreement between the European Economic Community and the Kingdom of Sweden signed on 22 July 1972 provides for duty free quotas for imports of paper and paperboard corrugated, other (CCT Heading Nr. 48.05 B) and paper and paperboard, impregnated, other, - other (CCT heading Nr. 48.07 B) originating in Sweden into Denmark during the period of the tariff dismantling.

The quotas were determined on the basis of import statistics furnished by Denmark.

2. The Danish customs authorities have recently discovered, that due to an error, printed kitchen rolls were until the end of 1974 classified under tariff position 48.05 B, whereas the correct position is 48.07 B. Denmark has opened tariff quotas for both positions.

The wrong classification has meant, that printed kitchen rolls have been included in import statistics used for fixing the size of the tariff quota in the free trade agreement for products under position 48.05 B. Since 1st of January 1975 kitchen rolls have correctly been classified under 48.07 B, but this has meant an unforeseen burden on that quota.

3. The attached draft exchange of letters therefore proposes to modify the Danish duty free quotas for paper and paperboard contained in Annex A of Protocol No. 1 to the Agreement.
4. The Swedish authorities have expressed their agreement with the wording of the attached letter. It is proposed that Mr. Denman sign on behalf of the Community. In this case the Swedish Ambassador could sign on behalf of the Swedish Government.
5. If the Council agrees to the proposed transfer from one duty free quota to another, the corresponding indicative ceilings provided for in Protocol No. 1 of the Agreement will have to be modified accordingly. A draft regulation to this end will be submitted to the Council separately.

RECOMMENDATION FOR A
COUNCIL REGULATION (EEC)

of

approving the exchange of letters rectifying Annex A
to Protocol No. 1 to the Agreement between the European
Economic Community and the Kingdom of Sweden

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 Agreement¹ signed on 22 July 1972 between the
European Economic Community and the Kingdom of Sweden,

Having regard to the Recommendation from the Commission,

Whereas Annex A to Protocol No. 1 to the Agreement between the European
Economic Community and the Kingdom of Sweden should be rectified and whereas
the exchange of letters to this effect between the European Economic
Community and the Kingdom of Sweden on 1978 should be approved,

HAS ADOPTED THIS REGULATION:

¹OJ No L 300, 31.12.1972, p.99.

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Article 1

The exchange of letters of 1978 between the European Economic Community and the Kingdom of Sweden for the purpose of rectifying Annex A to Protocol No. 1 to the Agreement between the European Economic Community and the Kingdom of Sweden is hereby approved on behalf of the Community. The text of the letters is annexed hereto.

Article 2

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities.

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

Done at Brussels,

For the Council

The President

Letter No. 1

Brussels,

Your Excellency,

In accordance with Protocol No. 1 to the Free Trade Agreement between the European Economic Community and the Kingdom of Sweden signed at Brussels on 22 July 1972, the Kingdom of Denmark has since 1 January 1974 opened tariff quotas for certain paper products originating in Sweden. The quotas were fixed on the basis of statistics available for the period 1968-71.

The Danish customs authorities have recently discovered that, due to an error, printed kitchen rolls were until the end of 1974 classified under tariff subheading 48.05 B, whereas the correct subheading is 48.07 B. Denmark has opened tariff quotas for both subheadings.

The wrong classification has meant that printed kitchen rolls have been included in import statistics used for fixing the size of the tariff quota in the Free Trade Agreement for products under subheading 48.05 B. Since 1 January 1975 kitchen rolls have correctly been classified under subheading 48.07 B, but this has meant an unforeseen burden on the quota for the products under that position.

During the base period used for calculating the quotas (1968-71) the figures for import from Sweden to Denmark in tonnes of printed kitchen rolls were as follows:

1968	1969	1970	1971	Annual average 1968 to 1971
800	900	2.700	4.400	2.200

Consequently the Community considers that, in accordance with Article 1 (4) of Protocol 1 to the aforementioned Agreement, 2.674 tonnes should be transferred from the 1974 quota for products under subheading 48.05 B set out in Annex A to the said Protocol, to the quota for products under subheading 48.07 B.

Accordingly the figure shown opposite the subheading 48.05 B "other" in the column "Denmark" of the said Annex should read 8.141 tonnes instead of 10.815 tonnes and the figure shown opposite the subheading 48.07 B "other" - "other" should read 18.078 tonnes instead of 15.404 tonnes.

I should be grateful if you would confirm the agreement of the Kingdom of Sweden with the content of this letter.

Please accept, Your Excellency, the assurance of my highest consideration.

On behalf of the Council
of the European Communities

His Excellency
Mr. Erik von SYDOW
Head of the Swedish Mission
to the European Communities
Grand-Point Robert Schuman 6
040 BRUXELLES

Letter No. 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today in which you informed me as follows:

"In accordance with Protocol No 1 to the Free Trade Agreement between the European Economic Community and the Kingdom of Sweden signed at Brussels on 22 July 1972, the Kingdom of Denmark has since 1 January 1974 opened tariff quotas for certain paper products originating in Sweden. The quotas were fixed on the basis of statistics available for the period 1968-71.

The Danish customs authorities have recently discovered that, due to an error, printed kitchen rolls were until the end of 1974 classified under tariff subheading 48.05 B, whereas the correct subheading is 48.07 B. Denmark has opened tariff quotas for both subheadings.

The wrong classification has meant that printed kitchen rolls have been included in import statistics used for fixing the size of the tariff quota in the Free Trade Agreement for products under subheading 48.05 B. Since 1 January 1975 kitchen rolls have correctly been classified under subheading 48.07 B, but this has meant an unforeseen burden on the quota for the products under that position.

During the base period used for calculating the quotas (1968-71) the figures for import from Sweden to Denmark in tonnes of printed kitchen rolls were as follows:

1968	1969	1970	1971	annual average 1968 to 1971
800	900	2.700	4.400	2.200

Consequently the Community considers that, in accordance with Article 1 (4) of Protocol 1 to the aforementioned Agreement, 2.674 tonnes should be transferred from the 1974 quota for products under subheading 48.05 B set out in Annex A to the said Protocol, to the quota for products under subheading 48.07 B.

Accordingly the figure shown opposite the subheading 48.05 B "other" in the column "Denmark" of the said Annex should read 8.141 tonnes instead of 10.815 tonnes and the figure shown opposite the subheading 48.07 B "other" - "other" should read 18.078 tonnes instead of 15.404 tonnes.

I have the honour to confirm the agreement of the Kingdom of Sweden on the foregoing.

Please accept, Sir, the assurance of my highest consideration.

For the Kingdom of Sweden

COUNCIL REGULATION (EEC)

of

concerning the conclusion of the Agreement in the form of an exchange of letters rectifying Annex A to Protocol No. 1 to the Agreement between the European Economic Community and the Kingdom of Sweden

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 recommendation of the Commission,

Whereas an Agreement⁽¹⁾ was signed in Brussels on 22 July 1972 between the European Economic Community and the Kingdom of Sweden; whereas Annex A to Protocol No 1 to the aforementioned Agreement should be rectified and the Agreement in the form of an exchange of letters negotiated to this effect should be concluded,

HAS ADOPTED THIS REGULATION :

Article 1

The Agreement in the form of an exchange of letters rectifying Annex A to Protocol No. 1 to the Agreement between the European Economic Community and the Kingdom of Sweden is hereby concluded on behalf of the Community.

The text of the letters is annexed to this Regulation.

(1) OJ No. L 300, 31.12.1972, p. 97.

.../...

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in the form of an exchange of letters referred to in Article 1 and to grant him the powers necessary for the purpose of binding the Community.

Article 3

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities.

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

Done at Brussels,

For the Council

The President