



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.04.2001
COM(2001) 227 final

Proposal for a

COUNCIL REGULATION

**amending Regulation (EC) No 1255/96 temporarily suspending the autonomous
common customs tariff duties on certain industrial, agricultural and fishery products**

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Commission, assisted by the Economic Tariff Questions Group, has reviewed all the requests for temporary suspension of autonomous common customs tariff duties presented to it by the Member States, including requests for extending suspensions at present in force.

The attached proposal concerns certain industrial, agricultural and fishery products.

Requests for suspension relating to the above products were examined in the light of the criteria set out in the communication from the Commission concerning autonomous tariff suspensions and quotas (see OJ C 128, 25.4.1998, p. 2).

Following this review, the Commission considers that the suspension or the reduction of duties is justified for the products listed in the Annex I to the attached proposal for a Regulation.

Products for which suspension is no longer in the Community's economic interests have been withdrawn and are set out in Annex II.

The two annexes to this Regulation thus correspond respectively, to the list of products for which suspension is proposed, or for which the wording (including the nomenclature code) has to be changed, and the list of products removed from the Annex to Regulation (EC) No 1255/96.

Amendments to the description of certain products listed in the Annex to Regulation (EC) No 1255/96, where they have become necessary, have been taken into account as follows:

- addition of the nomenclature code for the product (listed in the Annex to Regulation (EC) No 1255/96) in Annex II,
- addition of the new amended product description in Annex I.

The period of validity of the proposed measure is unspecified, since its purpose is to amend the annex to Council Regulation (EC) No 1255/96, the period of validity of which is itself unspecified.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 26 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) It is in the interest of the Community to suspend partially or totally the autonomous common customs tariff duties for a number of new products not listed in the Annex to Regulation (EC) No 1255/96¹.
- (2) A number of products which are referred to in the said Regulation should be withdrawn from the list in the Annex because it is no longer in the Community's interest to maintain suspension of autonomous common customs tariff duties or because the description needs to be altered in the light of technical developments.
- (3) Accordingly, products whose description needs to be altered should be regarded as new products.

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1255/96 is amended as follows:

1. The products set out in Annex I to this Regulation are inserted.
2. The products for which the codes are set out in Annex II to this Regulation are deleted.

Article 2

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

¹ OJ L 158, 29.6.1996, p. 1. Regulation last amended by Regulation (EC) No 2801/2000 (OJ L 331, 27.12.2000, p. 1).

It shall apply with effect from 1 July 2001.

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

Done at Brussels, [...]

For the Council
The President

ANNEX I

CN code & TARIC		Description	Rate of autonomous duty (%)
0062bi	ex 2903 69 90 20	1,2-Bis(pentabromophenyl)ethane	0
0061	ex 2903 69 90 60	α -Chloro(ethyl)toluenes	0
0092bi	ex 2909 30 38 10	Bis(pentabromophenyl) ether	0
0125	ex 2916 13 00 10	Hydroxyzinc methacrylate, in the form of powder	0
0126	ex 2916 13 00 20	Zinc dimethacrylate, in the form of powder	0
0129	ex 2916 20 00 40	Cyclohexanecarboxylic acid	0
0142	ex 2917 34 00 10	Diallyl phthalate	0
0121	ex 2918 90 90 20	Methyl 3-methoxyacrylate	0
0207	ex 2919 00 90 20	Diammonium salt of tetramyristoylcardiolipin	0
0173	ex 2921 43 00 30	3-Nitro- <i>p</i> -toluidine	0
0194	ex 2922 29 00 80	3-Diethylaminophenol	0
0208	ex 2923 90 00 40	Benzyltrimethyl(octadecyl)ammonium salts, for use in the manufacture of toner for photocopiers (a)	0
0300	ex 2933 39 95 60	2-Fluoro-6-(trifluoromethyl)pyridine	0
0307	ex 2933 40 90 60	5,6,7,8-Tetrahydroquinoline	0
0311	ex 2933 59 70 50	1-Chloromethyl-4-fluoro-1,4-diazoniabicyclo[2.2.2]octane bis(tetrafluoroborate)	0
0321	ex 2933 90 95 70	6,7-Dihydro-5 <i>H</i> -cyclopenta[<i>b</i>]pyridine	0
0297	ex 2934 90 96 55	Olmesartan medoxomil (INN)	0
0361	ex 3204 19 00 70	Dye C.I. Solvent Red 49	0
0462	ex 3824 90 95 06	Preparation in the form: <ul style="list-style-type: none"> – of powder, containing by weight 75 % or more of zinc bis[3,5-bis(1-phenylethyl)salicylate] or – of aqueous dispersion, containing by weight 22 % or more but not more than 55 % of zinc bis[3,5-bis(1-phenylethyl)salicylate] 	0

CN code & TARIC		Description	Rate of autonomous duty (%)
0030	ex 3824 90 95 35	Nitrosylsulfuric acid of a purity by weight of 70 % or more but not exceeding 73 %	0
0601	ex 3917 32 39 20	Pipe consisting of a block copolymer of polytetrafluoroethylene and polyperfluoroalkoxytrifluoroethylene, of a length of not more than 600 mm, a diameter of not more than 85 mm and a wall-thickness of 30 µm or more but not exceeding 110 µm	0
0602	ex 3919 10 31 10 ex 3919 10 38 30 ex 3919 90 31 50 ex 3919 90 38 20	Reflecting laminated sheet, consisting of a film of polycarbonate totally embossed on one side in a regular shaped pattern, covered on both sides with one or more layers of plastic material and on one side with an adhesive layer and a release sheet	0
0779bi	ex 3920 99 28 30 ex 3921 90 55 10 ex 7410 21 00 30	Film of polyimide, whether or not containing fillers,; <ul style="list-style-type: none"> – metallized by sputtering with copper on one side or on both sides, – metallized by sputtering with copper and plated on one side or on both sides with refined copper or – covered on one side or on both sides with a copper foil 	0
0669	ex 3921 19 00 93	Strip of microporous polytetrafluoroethylene on a non-woven support, for use in the manufacture of filters for kidney dialysis equipment (a)	0
0676	ex 3921 90 60 92	Reinforced polypropylene sheet, of a thickness of 0,91 mm or more but not exceeding 1,12 mm, having a breaking strength of 890 N or more but not exceeding 1 500 N (as determined by the ASTM D 751 method), in rolls of a width of 3,81 m	0
0678	ex 3926 90 99 35	Microspheres of polyalkylsiloxane, on which are covalently bonded organic compounds, of a diameter of 1 µm or more but not exceeding 30 µm	0
0693	ex 4811 39 00 10	Kraft paper impregnated with an acrylic polymer, of a weight of 83 g/m ² or more but not exceeding 87 g/m ²	0
0730	ex 5603 92 90 40 ex 5603 93 90 10	Non-wovens of polypropylene, consisting of a meltblown layer, laminated on each side with spunbonded filaments of polypropylene, of a thickness not exceeding 550 µm and of a weight not exceeding 80 g/m ² , in the piece or simply cut into squares or rectangles, not impregnated	0
0771	ex 6903 90 80 20	Silicon carbide reactor tubes and holders, of a kind used for insertion into diffusion and oxidation furnaces for production of semiconductor materials	0
0754	ex 7006 00 90 40	Disk of glass, with a hole in the centre, with the edges having been worked, of a total thickness not exceeding 1,5 mm	0
0779	ex 7410 21 00 10	Sheet or plate of polytetrafluoroethylene, containing aluminium oxide or titanium dioxide as filler or reinforced with glass-fibre fabric, covered on both sides with copper foil	0
0778	ex 7410 21 00 20	Sheet or plate of epoxyde resin covered on both sides with a copper foil, of a total thickness of 0,051 (± 0,018) mm or 3,2 (± 0,230) mm	0

CN code & TARIC		Description	Rate of autonomous duty (%)
0001	ex 8407 31 00 10	Two stroke internal combustion engine, of a cylinder capacity not exceeding 30 cm ³ for use in the manufacture of portable motorised scooters falling within subheading 8711 10 00 (a)	0
0056	ex 8522 90 98 32	Sound reproducing assembly, consisting of an optical disc mechanism, comprising an optical reading system and DC motors, for use in the manufacture of products falling within subheading 8519 99, 8527 21 20 or 8527 21 70 (a)	0
0175	ex 8529 90 81 41	Digital micromirror device (DMD)-chips, for use in the manufacture of video projectors (a)	0

(a)	Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.
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ANNEX II

	CN code	TARIC
ex	2933 21 00	30
ex	3824 90 95	06
ex	3917 32 39	20
ex	3920 91 00	92
ex	3921 90 60	92
ex	4811 39 00	10
ex	5603 92 90	40
ex	5603 93 90	10
ex	7006 00 90	40
ex	7410 21 00	10
ex	8522 90 98	32

FINANCIAL STATEMENT

1. TITLE OF OPERATION

Proposal for a Council Regulation amending Regulation (EC) No 1255/96 temporarily suspending the autonomous common customs tariff duties on certain industrial, agricultural and fishery products.

2. BUDGET HEADING(S) INVOLVED

Chapter 12 Article 120.

3. LEGAL BASIS

Article 26 of the EC Treaty.

4. DESCRIPTION OF OPERATION

Suspension of the common customs tariff duties for the above products.

5. FINANCIAL IMPACT

In order to reduce the economic problems arising from the period of validity of previous Regulations, Council Regulation (EC) No 1255/96, now in force, does not have an expiry date.

This proposal contains only the amendments which must be made to the annex to the existing Regulation in order to take account of the following:

1. new requests for suspension which have been presented and accepted;
2. technical product developments and economic trends on the market resulting in the lifting of certain existing suspensions;
3. amendments to Nomenclature codes.

Obviously only the amendments described in 1 and 2 have a financial impact.

Addition

This Annex, in addition to the amendments resulting from changes to CN codes, contains 27 new products. The uncollected duties corresponding to these suspensions, calculated on the basis of expected imports into the requesting Member State for 2001, total MEUR 10.2.

On the basis of the existing statistics for the preceding years, it would appear, however, that this amount must be increased by an average factor, estimated at 1.8, to take account of imports into other Member States using the same suspensions. This means a **loss of revenue of some MEUR 18.3.**

Withdrawal:

2 products have been withdrawn from this annex reflecting the reintroduction of customs duties. This represents **an increase of MEUR 1.0 in resources**, as calculated from requests for suspension or available statistics (1998).

Estimated cost of this operation

Taking available statistics (1998) as a basis, the impact on the loss of revenue resulting from this Regulation may therefore be estimated at **18.3 - 1.0 = MEUR 17.3**, then an increase of loss of revenue, with a **total loss estimated for 2001 of 618 + 17.3 = MEUR 635.3**.

The shortfall in traditional own resources will have to be made up by the Member States by topping up the GNP component.

6. FRAUD PREVENTION MEASURES

Checks on the end-use of some of the products covered by this Council Regulation will be carried out in accordance with Articles 291 to 300 of Commission Regulation (EEC) No 2454/93 laying down provisions for the implementation of the Community Customs Code.