

COUNCIL REGULATION (EEC) No 3914/92

of 19 December 1992

opening and providing for the administration of Community tariff quotas for certain agricultural and industrial products (second series 1993)

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 proposal from the Commission,

Whereas production in the Community of certain agricultural and industrial products will remain in the course of 1993 unable to meet the specific requirements of the user industries in the Community; whereas, consequently, Community supplies of products of this type will depend to a considerable extent on imports from third countries; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms; whereas Community tariff quotas at zero duty should therefore be opened within the limits of appropriate volumes for a period up to 31 December 1993 taking account of the need not to disturb the markets for such products nor the starting out or development of Community production;

Whereas it is necessary, in particular, to ensure for all Community importers equal and uninterrupted access to the said quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all imports of the products concerned into all Member States until the quotas have been used up;

Whereas the decision for the opening of autonomous tariff quotas should be taken by the Community; whereas, to ensure the efficiency of a common administration of these quotas, there is no obstacle to authorizing the Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports; whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

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, all transactions concerning the administration of the quantities drawn by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January 1993 until the date shown in the table below the customs duties applicable to imports into the Community of the products listed below shall be suspended at the levels and within the limits of the Community tariff quotas shown below:

Order No	CN code (1)	Description	Amount of quota	Quota duty (%)	End of quota period
09.2703	ex 2825 30 00	Vanadiumoxides and hydroxides, not in the form of powder, exclusively for the production of alloys (a)	6 000 tonnes	0	31. 12. 1993
09.2797	ex 8540 41 00	Magnetrons with a power output of less than 1 000 W, for the manufacture of microwave ovens (a)	400 000 pieces	0	31. 12. 1993
09.2817	ex 8110 00 11	Antimony ingots	15 000 tonnes	0	31. 12. 1993
09.2827	ex 3932 90 79	1,3-2,4-Di-o-benzylidene D-glucitol with a purity by weight not less than 96 % for the carification of polypropylene for use with foods (a)	55 tonnes	0	31. 12. 1993

(1) See Taric codes in the Annex.

(a) Checks on their prescribed end-use shall be carried out pursuant to the relevant Community provisions.

Order No	CN code ⁽¹⁾	Description	Amount of quota	Quota duty (%)	End of quota period
09.2833	ex 8473 30 90	Thin film magnetic heads of Winchester technology capable of recording to a density of 78 tracks or more per mm mounted on a carrier arm, with or without a connection via a flexible printed circuit to a metal bracket, for the incorporation in hard-disc storage units with an external disc diameter not exceeding 8,89 cm (3,5 inches) (a)	60 000 pieces	0	31. 3. 1993
09.2849	ex 0710 80 60	Mushrooms of the species <i>Auricularia polytricha</i> steamed or boiled, cut into strips of a width of 6 mm or more but not more than 8 mm, for the manufacture of prepared meals (a) (b)	420 tonnes	0	31. 12. 1993
09.2851	ex 2907 12 00	O-Cresol having a purity of not less than 98,5 %	12 000 tonnes	0	31. 12. 1993
09.2853	ex 2930 90 80	Glutathione	3 tonnes	0	31. 12. 1993

⁽¹⁾ See Taric codes in the Annex.

(a) Checks on their prescribed end-use shall be carried pursuant to the relevant Community provisions.

(b) However, the tariff quota is not allowed where processing is carried out by retail or catering undertakings.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 3

Where an importer presents a declaration covered by this Regulation for release for free circulation in a Member State, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the appropriate quota volume.

Requests for drawings, indicating the date on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation, to the extent that the available balance so permits.

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

Done at Brussels, 19 December 1992.

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota volume as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated among applicants pro rata. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volume so permits.

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 January 1993.

For the Council
The President
J. GUMMER

ANNEX

Taric codes

Order No	CN code	Taric code
09.2703	ex 2825 30 00	* 10
09.2797	ex 8540 41 00	* 91
09.2817	ex 8110 00 11	* 10
09.2827	ex 2932 90 79	* 80
09.2833	ex 8473 30 90	* 80
09.2849	ex 0710 80 60	* 10
09.2851	ex 2907 12 00	* 10
09.2853	ex 2930 90 80	* 16