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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2878/94
of 23 November 1994
opening and providing for the administration of Community tariff quotas for
certain agricultural and industrial products (first series 1995)

THE COUNCIL OF THE EUROPEAN UNION,

the products concerned into all Member States until the quotas have been used up ;

Having regard to the Treaty establishing the European Community, and in particular Article 28 thereof,

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 reasonable obstacle to authorizing 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,

Having regard to the proposal from the Commission,

HAS ADOPTED THIS REGULATION :

Whereas production in the Community of certain agricultural and industrial products will remain in the course of 1995 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 reduced or at zero duty should therefore be opened within the limits of appropriate volumes for a period up to 31 December 1995 taking account of the need not to disturb the markets for such products nor the starting out or development of Community production ;

Article 1

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

From 1 January until 31 December 1995, 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)	13 000 tonnes	0	31. 12. 1995
09.2711	7202 41 91 7202 41 99	Ferro-chromium containing by weight more than 6 % of carbon	400 000 tonnes	0	31. 12. 1995

Order No	CN code (')	Description	Amount of quota	Quota duty (%)	End of quota period
09.2713	ex 2008 60 19 ex 2008 60 39	Sweet cherries, marinated in alcohol, of a diameter not exceeding 19,9 mm, stoned, intended for the manufacture of chocolate products (a): — with a sugar content exceeding 9 % by weight — with a sugar content not exceeding 9 % by weight	} 2 000 tonnes	10 + AGR 10	31. 12. 1995
09.2717	ex 7202 99 19	Ferro-phosphorus containing by weight 15 % or more of phosphorus, intended for the manufacture or refined phosphoric iron or steel (a)	45 000 tonnes	0	31. 12. 1995
09.2719	ex 2008 60 19 ex 2008 60 39	Sour cherries (<i>Prunus cerasus</i>), marinated in alcohol, of a diameter not exceeding 19,9 mm, stoned, intended for the manufacture of chocolate products (a): — with a sugar content exceeding 9 % — with a sugar content not exceeding 9 % by weight	} 2 000 tonnes	10 + AGR 10	31. 12. 1995
09.2727	ex 3902 90 00	Synthetic poly-alpha-olefin having a kinetic viscosity of not less than $36 \times 10^{-6} \text{ m}^2 \text{ s}^{-1}$ (38 centistokes) at 100 °C, measured using the ASTM D 445 method	5 500 tonnes	0	31. 12. 1995
09.2729	ex 0811 90 99	Boysenberries, preserved by freezing, not containing added sugar, for the processing industry (a)	1 500 tonnes	12	31. 12. 1995
09.2731	ex 3905 90 00	Polyvinylpyrrolidone, presented in powder form, the particles of which are less than 38 micrometres and which has a solubility in water at 25 °C of less than, or equal to 1,5 % by weight and which is intended for the pharmaceutical industry (a)	120 tonnes	0	31. 12. 1995
09.2741	ex 8104 11 00	Unwrought magnesium having a purity of not less than 99,95 % in the form of ingots, intended for the manufacture of elements used in the nuclear industry (a)	1 800 tonnes	0	31. 12. 1995
09.2744	ex 8104 11 00	Unwrought magnesium having a purity of not less than 99,95 % in the form of ingots, for the manufacture of zirconium sponge (a)	1 100 tonnes	0	31. 12. 1995
09.2781	ex 7226 10 91	Flat-rolled products of silicon-electrical steel, cold-rolled, grain oriented, of a width not exceeding 500 mm, of a thickness of 0,23 mm or less, with a nominal magnetic inversion loss rate of 0,8 W/kg or less determined by the Epstein method with a current of 50 cycles and one induction of 1,7 tesla	600 tonnes	0	31. 12. 1995
09.2791	ex 3905 90 00	Polyvinyl butyral in the form of powder, for the production of film for laminated safety glass (a)	9 000 tonnes	0	31. 12. 1995
09.2797	ex 8540 41 00	Magnetrons with a power output of not more than 1 000 W, for the manufacture of microwave ovens (a)	650 000 pieces	0	31. 12. 1995
09.2799	ex 7202 49 90	Ferro-chromium containing more than 1,5 % but no more than 4 % by weight of carbon and not more than 70 % of chromium	15 000 tonnes	0	31. 12. 1995

Order No	CN code (')	Description	Amount of quota	Quota duty (%)	End of quota period
09.2809	ex 3802 90 00	Acid-activated montmorillonite for the manufacture of self-copy paper (a)	10 000 tonnes	0	31. 12. 1995
09.2811	ex 2902 90 90	4-benzylbiphenyl	400 tonnes	0	31. 12. 1995
09.2829	ex 3823 90 98	Solid extract of the residual insoluble in aliphatic solvents obtained during the extraction of resin from wood, having the following characteristics : — a resin acid content by weight not exceeding 30 % — an acid number not exceeding 110, and — a melting point of not less than 100 °C	1 200 tonnes	0	31. 12. 1995
09.2837	ex 2903 40 98	Bromchloromethane	370 tonnes	0	31. 12. 1995
09.2841	ex 2712 90 90	Blend of 1-alkenes containing by weight 80 % or more of 1-alkenes of a chain-length of 20 and 22 carbon atoms	10 000 tonnes	0	31. 12. 1995
09.2845	ex 2914 19 00	3,3-Dimethylbutanone	750 tonnes	0	31. 12. 1995
09.2847	ex 2914 70 90	1-Chloro-3,3-Dimethylbutanone	750 tonnes	0	31. 12. 1995
09.2849	ex 0710 80 60	Mushrooms of the species <i>Auricularia polytricha</i> , either steamed, boiled or frozen, for the manufacture of prepared meals (a) (b)	700 tonnes	0	31. 12. 1995
09.2851	ex 2907 12 00	O-Cresol having a purity of not less than 98,5 %	13 000 tonnes	0	31. 12. 1995
09.2853	ex 2930 90 80	Glutathione	15 tonnes	0	31. 12. 1995
09.2857	ex 2902 90 90	Diisopropylnaphtalene, mixed isomers	2 000 tonnes	0	31. 12. 1995
09.2859	ex 2909 49 90	2,2 isopropylidene-bis (<i>p</i> -phenyleneoxydiethanol) solid form	600 tonnes	0	31. 12. 1995
09.2863	ex 8473 30 90	Thin-film magnetic heads of Winchester technology (microsliders) capable of recording to a density of 78 tracks or more per millimetre, for the incorporation in hard disc storage units with an external disc diameter not exceeding 8,89 cm (3,5 inches) (a)	70 000 pieces	0	31. 12. 1995
09.2865	ex 8540 91 00	Molybdenum chrome steel frames for the manufacture of 736,6 mm (± 1 mm) (29 inches) (a)	400 000 pieces	0	31. 12. 1995
09.2867	ex 3207 40 90	Glass granulate, containing by weight : — 73 % or more but not more than 77 % of silicon dioxide, — 12 % or more but not more than 18 % of diboron trioxide and — 4 % or more but not more than 8 % of polyethylene glycol	80 tonnes	0	31. 12. 1995
09.2871	ex 7011 20 00	Glass face-plate : — with a diagonal measurement of 723 mm (± 3 mm) and of dimensions of 602 \times 477 mm (± 2 mm), for the manufacture of colour cathode-ray tubes (a)	650 000 pieces	0	31. 12. 1995

Order No	CN code ⁽¹⁾	Description	Amount of quota	Quota duty (%)	End of quota period
09.2873	ex 8542 11 23	Static random access memory of C-MOS technology (C-MOS S-RAM), with a storage capacity of 32 K × 8 bits and an access line exceeding 55 ns, in the form of a monolithic integrated circuit, contained in a housing the exterior dimensions of which do not exceed 17 × 39 mm, with not more than 32 connections and bearing : — an identification marking consisting of or including one of the following combinations of figures and letters : KM 62 256 MSM 5 256 PD 43 256 — other identification markings relating to devices complying with the abovementioned description	40 000 000 pieces	0	31. 12. 1995
09.2877	ex 2903 69 00	1,2-Bis(pentabromophenyl)ethane	300 tonnes	0	31. 12. 1995
09.2881	ex 3901 90 00	Chlorosulphonated polyethylene	6 000 tonnes	0	31. 12. 1995

(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.

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 1995.

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

Done at Brussels, 23 November 1994.

For the Council

The President

J. BORCHERT

ANNEX

Taric codes

Order Nos	CN codes	Taric codes
09.2703	ex 2825 30 00	*10
09.2711	7202 41 91	
	7202 41 99	
09.2713	ex 2008 60 19	*10
	ex 2008 60 39	*11
09.2717	ex 7202 99 19	*19
09.2719	ex 2008 60 19	*20
	ex 2008 60 39	*20
09.2727	ex 3902 90 00	*95
09.2729	ex 0811 90 99	*10
09.2731	ex 3905 90 00	*94
09.2741	ex 8104 11 00	*30
09.2744	ex 8104 11 00	*40
09.2781	ex 7226 10 91	*20
09.2791	ex 3905 90 00	*91
09.2797	ex 8540 41 00	*91
09.2799	ex 7202 49 90	*10
09.2809	ex 3802 90 00	*10
09.2811	ex 2902 90 90	*50
09.2829	ex 3823 90 98	*50
09.2837	ex 2903 40 98	*10
09.2841	ex 2712 90 90	*30
09.2845	ex 2914 19 00	*20
09.2847	ex 2914 70 90	*10
09.2849	ex 0710 80 60	*10
09.2851	ex 2907 12 00	*10
09.2853	ex 2930 90 80	*16
09.2857	ex 2902 90 90	*80
09.2859	ex 2929 49 90	*10
09.2863	ex 8473 30 90	*80
09.2865	ex 8540 91 00	*95
09.2867	ex 3207 40 90	*30
09.2871	ex 7011 20 00	*70
09.2873	ex 8542 11 23	*26
09.2877	ex 2903 69 00	*20
09.2881	ex 3901 90 00	*94