

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(90) 117final

Brussels, 2 April 1990

Proposal for a COUNCIL REGULATION (EEC)

opening and providing for the administration of autonomous
community tariff quotas for certain agricultural and
chemical products (1990)

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Subsequent to requests made by various Member States, the Services of the Commission have examined, in conjunction with the Government experts concerned, the question of renewal in 1990 of autonomous tariff quotas which had been opened during 1989, and also the opening in 1990 of a tariff quota for a new product.
2. Following this examination, which took place during the "Economic Tariff" group meetings held in particular on 19 January 1990, it has been determined that the opening of tariff quotas for the following products could have the agreement of the Member States without disturbing the markets for such products:
 - eels: 5 000 tonnes at 0%
 - t-butyl-hydroperoxide: 500 tonnes at 0%
 - sodium 3,5-bis(methoxycarbonyl)benzenesulphonate: 280 tonnes at 0%
 - aniline: 8 500 tonnes at 0%

This is the purpose of this proposal.

Proposal for a
COUNCIL REGULATION (EEC) No
of

opening and providing for the administration of Community tariff quotas for
certain agricultural and chemical products (1990)

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 chemical products is currently unable to meet the specific requirements of the user industries in the Community; whereas, consequently, Community supplies of products of this type currently 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 zero duty Community tariff quotas should therefore be opened within the limits of appropriate volumes for a period

1990 or 30 June 1991; whereas, in order not to upset the balance of the markets for these products, the volume of certain of these Community tariff quotas should be set at provisional levels which cover immediate requirements; whereas the setting of the quota volumes at this level does not rule out an adjustment during the year;

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, it is appropriate to take the necessary measures to ensure efficient Community administration of these tariff quotas while offering the Member States the opportunity to draw from the quota volumes the necessary quantities corresponding to actual imports; whereas 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,

up to 31 December

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1990 to 30 June 1991, the customs duties applicable to imports into the Community of the product listed below shall be suspended at the level and within the limits of the Community tariff quota indicated:

Order No	CN codes (a)	Description	Amount of quota (in tonnes)	Quota duty (%)
09.2701	ex0301 92 00 ex0302 66 00 ex0303 76 00	Eels (<i>Anguilla</i> spp.), live, fresh, chilled or frozen, intended for processing by curing or skinning enterprises or for use in the industrial manufacture of products falling within CN code 1604 (1)	5 000	0

(a) Taric codes : 0301 92 00 *10
0302 66 00 *10
0303 76 00 *10

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

2. From the date of entry into force of this Regulation until 31 December 1990, 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 codes (a)	Description	Amount of quota (in tonnes)	Quota duty (%)
09.2745	ex2909 60 90	t-Butyl-hydroperoxide containing by weight 28% or more but not more than 32% of water	500	0
09.2749	ex2917 39 90	sodium 3,5-bis(methoxycarbonyl)benzenesulphonate	280	0
09.2795	ex2921 41 00	Aniline	8500	0

(a) Taric codes: 2909 60 90 *10
2917 39 90 *60
2921 41 00 *10

3. Within the limits of these tariff quotas the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the 1985 Act of Accession.

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 present 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 the seventh 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

FICHE FINANCIERE

1. Ligne budgétaire concernée : Chap. 12 art. 120
2. Base juridique : art. 28 du traité
3. Intitulé de la mesure tarifaire : Proposition de règlement du Conseil portant ouverture et mode de gestion de contingents tarifaires autonomes pour certains produits agricole et chimiques (1990).
4. Objectif : Assurer la couverture à des conditions favorables, des besoins communautaires.
5. Mode de calcul :

Désignation des produits	Quantités	Prix en écus/unité	Droit normal (en %)	Droit contingentaire (en %)	Perte de recettes (en écus)
Anguilles	5 000 t	5 100	3	0	765 000
Hydroperoxyde de tert-butyle	500 t	1 657	6,6	0	54 681
3,5-bis-méthoxy-carbonyl benzène sulfonate de sodium	280 t	6 260	13	0	227 864
Aniline	8 500 t	927	12	0	945 540
					1 993 085

Par rapport à la période contingentaire précédente, augmentation des pertes de 1 993 085 écus - 1 927 146 écus = 65 939 écus.

FICHE D'IMPACT SUR LA COMPETITIVITE ET L'EMPLOI

La présente proposition vise l'ouverture de contingents tarifaires communautaires autonomes destinés à couvrir, à des conditions favorables, les besoins des industries utilisatrices. Elle aura pour effet de permettre à ces industries de concurrencer celles des pays tiers sur les marchés de la Communauté et des pays tiers et de maintenir ou même d'améliorer l'emploi dans la Communauté.

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DOCUMENTS

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Catalogue number : CB-CO-90-140-EN-C

ISBN 92-77-59072-6

Office for Official Publications of the European Communities
L-2985 Luxembourg