REGULATION (EEC) No 186/73 OF THE COUNCIL

of 23 January 1973

on the opening, apportionment and method of administration of a Community tariff quota for frozen beef and veal falling within subheading 02.01 A II a) 2 of the Common Customs Tariff (1973)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the European Economic Community has undertaken, in the context of the most recent multilateral negotiations of GATT, to open an annual Community tariff quota of 22 000 metric tons at a duty of 20 % for frozen beef and veal under tariff subheading 02.01 A II a) 2; whereas the Agreement with the Argentine, entered into 8 November 1971 (1), provides that, as from 1 January 1972, the aforesaid quota of 22 000 tons must be regarded as meaning boned meat;

Whereas, according to the terms of Article 60 of the Act annexed to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972 (2), the new Member States are bound to apply the common agricultural policy regulations from 1 February 1973; whereas it is, therefore, necessary to provide for the import needs of the new States coming from third countries during the period 1 February to 31 December 1973; whereas, in these circumstances, and taking account of the declaration of the Community annexed to the aforesaid Agreement with the Argentine, it is provided that an autonomous supplementary quota be opened at 20 % duty, which may be fixed at 12 000 tons, this also to be in boned meat;

Whereas it is particularly opportune to guarantee equal and continuous access to all importers in the Community to the said quota and the uninterrupted application of the rate provided for the said quota to all imports of the product in question in all Member States until the quota is exhausted; whereas a system of taking up the Community tariff quota, based on apportionment between the Member States, is capable of respecting the Community nature of the said quota in relation to the principles set out above; whereas, in order that the real evolution of the market in the product in question may be the best possible, this apportionment must be made pro rata to the needs of the Member States, whose needs will be assessed in particular by taking into account imports coming from third countries during the most recent years for which complete statistical data are available, and the foreseeable development during the quota period;

Whereas, since the tariff quota in question is relatively small, it ought to be possible to provide for a system of allocation based on a single apportionment between the Member States, without thereby taking from its Community nature; whereas it appears best to leave to each Member State the choice of a management system for its part of the quota;

Whereas, in the case of Belgium, The Netherlands and Luxembourg, being united and represented by the economic Union Benelux, the entire management of the quota part allotted to the said economic Union may be carried out by one of its members;

HAS ADOPTED THIS REGULATION:

Article 1

1. A Community tariff quota for frozen beef and veal, under subheading 02.01 A II a) 2 of the Common Customs Tariff, totalling 34 000 tons, in boned meat, shall be opened, at a duty of 20 % for the period:

— from 1 January to 31 December 1973 up to the conventional quantity of 22 000 tons;

— from 1 February to 31 December 1973 up to an autonomous quantity of 12 000 tons.

2. For the purposes of charging against quota, 100 kg of unboned meat equals 77 kg of boned meat.

(1) OJ No L 249, 10. 11. 1971, p. 18.
(2) OJ No L 73, 27. 3. 1972, p. 28.

Article 2

The Community tariff quota mentioned in Article 1 is apportioned as follows:

Germany	4 750 tons
Benelux	4 570 tons
France	2 290 tons
Italy	10 390 tons
Denmark	200 tons
Ireland	100 tons
United Kingdom	11 700 tons

Article 3

1. The Member States shall take all appropriate steps to guarantee to importers established in their countries free access to the quota-part allotted to them.

2. The extent of depletion of Member States' shares shall be verified on the basis of imports coming from third countries presented at customs under cover of declarations that they are for consumption.

Article 4

The Member States shall inform the Commission at regular intervals of imports which have been charged against their shares.

Article 5

The Member States and the Commission shall cooperate closely to ensure that the provisions of the preceding Articles are respected.

Article 6

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

It shall be applicable in the original Member States from 1 January 1973 and in the new Member States from 1 February 1973.

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

Done at Brussels, 23 January 1973.

For the Council

The President

L. TINDEMANS