REGULATION (EEC) No 3590/73 OF THE COUNCIL

of 28 December 1973

on the opening, allocation and administration of a Community tariff quota for newsprint falling within subheading No 48.01 A of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 28 and 113 thereof;

Having regard to the proposal from the Commission;

Whereas, as regards newsprint falling within tariff subheading No 48.01 A, the European Economic Community has undertaken to open an annual duty-free Community tariff quota for 625 000 metric tons;

Whereas, under Article 39 of the Act of Accession the new Member States must on 1 January 1974 make the first move towards alignment of their national tariffs on the Common Customs Tariff as regards the said goods; whereas, therefore, the requirements of those Member States for imports from third countries should from that date onwards be covered by the tariff quota in question during the period thereof; whereas the duties to be applied by those Member States under the said tariff quota must be in conformity with the relevant provisions of the Act of Accession;

Whereas in view of current Community production potential the volume of the said quota will not suffice to cover the anticipated import requirements; whereas provision must therefore be made for an autonomous supplementary quantity which, according to the estimates put forward, can be fixed at 2 428 000 metric tons; whereas the fixing of the autonomous supplementary quantity at this level does not however exclude the possibility of an adjustment during the tariff period; whereas, a Community tariff quota of 3 053 000 metric tons should therefore be opened for the said goods for 1974;

Whereas equal and continuous access to the quota should be ensured for all importers and the rate of levy for the tariff quota should be applied consistently to all imports until the quota is used up; whereas, in the light of the principles outlined above, a Community tariff arrangement based on an allocation between the Member States would seem to preserve the Community nature of the quota; whereas to represent as closely as possible the actual development of the market in the said goods the allocation should follow proportionately the requirements of the Member States calculated both from statistics of imports from third countries during a representative reference period and from the economic outlook for the tariff year in question;

Whereas, however, the available statistics of imports from third countries into the new Member States only cover the year 1972 and the first few months of 1973, save as regards Ireland, in respect of which representative data for the last-mentioned months are not available; whereas during the year 1972 imports from third countries by each of the Member States represented the following percentages of total Community imports of the said goods; whereas, on the basis of an extrapolation of the available data for the first few months of 1973, the imports of the Member States for the whole year of 1973 are as follows, and are in roughly the same proportions as in 1972:

	1972		1973
	in metric tons	in %	in metric tons
Benelux	288 129	11·53	289 932
Denmark	175 642	7·02	96 364
Germany	666 000	26·65	652 000
France	191 097	7·64	324 000
Ireland	48 896	1·95	
Italy	1 511	0·06	3 760
United Kingdom	1 127 400	45·15	1 286 000

Whereas, however, to understand fully the statistics given above, it should be borne in mind that the opening of a Community tariff quota in the enlarged Community could still change the traditional trade relations of the Member States with third countries; whereas, in view of these factors and of market forecasts for newsprint in general, and of production in particular, for 1974, the percentage shares in the quota volume can be expressed roughly as follows:

Benelux	13·30
Denmark	6·20
Germany	23·00
France	9·90
Ireland	2·30
Italy	1·30
United Kingdom	44·00

Whereas it seems possible to provide for a system of use based on only one allocation, such that no risk of exceeding the volume of the quota shall arise, and at the same time preserve the Community nature of the quota; whereas such an allocation may therefore be based on the percentage figures shown in the table above;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are jointly representated by the Benelux Economic Union any measure concerning the administration of the shares allocated to that economic union may be carried out by one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period from 1 January to 31 December 1974 a Community tariff quota of 3 053 000 metric tons shall be opened in the Community for newsprint falling within subheading No 48.01 A of the Common Customs Tariff.

2. Imports of the said goods may not be counted under this tariff quota if they are already free of customs duties under other preferential tariff treatment applied by certain Member States in particular under free trade agreements.

3. Within this tariff quota the Common Customs Tariff duties shall be totally suspended.

4. Within this tariff quota the new Member States shall apply duties calculated in accordance with the relevant provisions of the Act of Accession.

Article 2

1. The Community tariff quota referred to in Artice 1 shall be allocated amongst the Member States as follows:

Benelux	400 000
Denmark	185 000
Germany	720 000
France	320 000
Ireland	68 000
Italy	40 000
United Kingdom	1 320 000

Article 3

1. Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

2. The extent to which a Member State has used up its share shall be determined on the basis of the quantities of the said goods imported from third countries and entered for home use.

Article 4

Member States shall inform the Commission at regular intervals of imports actually charged against their shares.

Article 5

Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 6

This Regulation shall enter into force on 1 January 1974.

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

Done at Brussels, 28 December 1973.

For the Council

The President

Ove GULDBERG