# REGULATION (EEC) No 418/73 OF THE COUNCIL

## of 22 January 1973

## establishing Community supervision of imports of certain products originating in Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas an Agreement [1] between the European Economic Community and the Portuguese Republic was signed on 22 July 1972;

Whereas Articles 2 and 3 of that Agreement make provision for the progressive abolition of customs duties in respect of the products to which the Agreement applies; whereas by way of derogation from these Articles, Articles 1 and 2 of Protocol No 1 annexed to the Agreement lay down that, for imports of certain products listed in Annex B to that Protocol, the reduction of duties shall be limited in 1973 to indicative ceilings above which the customs duties applicable to third countries may be reintroduced; whereas application of this last provision requires that the Community be regularly informed of the trend of imports of the products in question originating in Portugal, whereas it is, therefore, desirable that imports of these products be subjected to a system of supervision;

Whereas this objective may be achieved by means of an administrative procedure based on setting off imports of the products in question against the indicative ceilings at Community level, as and when these products are submitted to the customs authorities under cover of declarations that they have been made available for consumption; whereas this administrative procedure must make provision for the reintroduction of customs tariff duties as soon as the ceilings have been reached at Community level;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission and whereas the latter must, in particular, be able to follow the progress of amounts set off against the indicative ceilings and keep the Member States informed;

whereas this cooperation must be all the closer since the Commission must be able to take adequate measures to reintroduce customs tariff duties whenever one of the ceilings has been reached;

Whereas the indicative ceilings for the products listed in Annex B to the above Protocol have been calculated for 1973 by reference to the situation of the customs duties to be applied by the Community as originally constituted on the one hand, and by the new Member States on the other; whereas, consequently, supervision of imports of certain products must begin on 1 January 1973 in certain Member States and on 1 April 1973 in others;

Whereas, for the products which, in accordance with Articles 2 and 3 of the Agreement, are subject to the normal timetable for the abolition of customs duties it is necessary to follow the trend of imports; whereas to this end the Community should be empowered to take, where appropriate, measures to avoid any prejudice to industry in the Community and whereas it is, therefore, desirable that imports of these products also be subjected to a system of supervision;

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Imports of products originating in Portugal to which annual indicative ceilings are applied in accordance with Articles 1 and 2 and Annex B to Protocol No 1 to the Agreement between the European Economic Community and the Portuguese Republic shall be subjected to Community supervision in 1973.

The description of the products referred to in the preceding subparagraph, their tariff headings and statistic numbers, the levels of the indicative ceilings and the dates on which Community supervision shall begin are given in Annex I.

2. Amounts shall be set off against the indicative ceilings as and when products are submitted to the customs authorities under cover of a declaration that

[1] OJ No L 301, 31. 12. 1972, p. 10.

they have been made available for consumption and accompanied by a movement certificate conforming to the rules contained in Protocol No 3 to the Agreement referred to in paragraph 1.

Goods shall be set off against the indicative ceiling only if the movement certificate has been submitted before the date on which customs duties are reimposed.

The reaching of a ceiling shall be determined at Community level on the basis of imports set off against it in the manner defined in the preceding subparagraphs.

The Member States shall periodically inform the Commission of imports effected in accordance with the above rules.

3. As soon as the ceilings have been reached, the Commission may issue a regulation reimposing the customs duties applicable to third countries for the whole Community until the end of the calendar year.

The new Member States shall simultaneously reimpose the duties provided for in Article 2 (7) of Protocol No 1 to the Agreement referred to in paragraph 1.

*Article 2*

During the period from 1 January 1973 until 31 December 1973, imports of the products referred to in Annex II which originate in Portugal shall be subjected to Community supervision.

The Member States shall periodically inform the Commission of imports of these products; to this end, only products submitted to the customs authorities under cover of a declaration that they have been made available for consumption and accompanied by a movement certificate conforming to the rules contained in Protocol No 3 to the Agreement referred to in Article 1 shall be taken into consideration.

*Article 3*

For the implementation of this Regulation the Commission shall take all necessary measures in close cooperation with the Member States.

*Article 4*

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

This Regulation shall apply from 1 January 1973.

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

Done at Brussels, 22 January 1973.

*For the Council*

*The President*

L. TINDEMANS

*ANNEX I*

## LIST OF PRODUCTS SUBJECT TO INDICATIVE CEILINGS UPON IMPORTATION IN 1973

| Order No | CCT heading No | Description | Nimexe Code | Level of ceiling — metric tons — |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
| I P 1 | 45.02 | Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers) | 45.02 - all Nos | 1 100 |
| I P 2 | 45.03 | Articles of natural cork | 45.03 - all Nos | 8 200 |
| I P 3 | 45.04 | Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork | 45.04 - all Nos | 10 000 |
| I P 4 | 55.05 | Cotton yarn, not put up for retail sale | 55.05 - all Nos | 8 000 |
| I P 5 | 56.07 | Woven fabrics of man-made fibres (discontinuous or waste) | 56.07 - all Nos | 2 400 |
| I P 6 | 57.10 | Woven fabrics of jute or of other textile bast fibres of heading No 57.03 | 57.10 - all Nos | 4 100 |
| I P 7 | 59.04 | Twine, cordage, ropes and cables, plaited or not | 59.04 - all Nos | 7 700 |
| I P 8 | 60.04 | Under garments, knitted or crocheted, not elastic nor rubberized | 60.04 - all Nos | 3 000 |
| I P 9 | 60.05 | Outer garments and other articles, knitted or crocheted, not elastic nor rubberized | 60.05 - all Nos | 720 |
| I P 10 | 61.01 | Men's and boys' outer garments | 61.01 - all Nos | 980 |
| I P 11 | 61.02 | Women's, girls' and infants' outer garments | 61.02 - all Nos | 290 |
| I P 12 | 61.03 | Men's and boys' under garments, including collars, shirt fronts and cuffs | 61.03 - all Nos | 970 |
| I P 13 | 61.04 | Women's, girls' and infants' under garments | 61.04 - all Nos | 110 |

**Dates on which supervision commences:**

— in the Community as originally constituted: 1 April 1973,

— in the United Kingdom and Denmark: 1 January 1973,

— in Ireland: 1 April 1973.

*ANNEX II*

## LIST OF PRODUCTS REFERRED TO IN ARTICLE 2

**Date on which supervision commences:** 1 January 1973

| Order No | CCT heading No | Description | Nimexe Code |
|---|---|---|---|
| 1 | 2 | 3 | 4 |
| II P 1 | 44.15 | Plywood, blockboard, laminboard, battenboard and similar laminated wood products (including veneered panels and sheets); inlaid wood and wood marquetry | 44.15 - all Nos |
| II P 2 | 44.18 | Reconstituted wood, being wood shavings, wood chips, sawdust, wood flour or other ligneous waste agglomerated with natural or artificial resins or other organic binding substances, in sheets, blocks or the like | 44.18 - all Nos |
| II P 3 | 48.09 | Building board of wood pulp or of vegetable fibre, whether or not bonded with natural or artificial resins or with similar binders | 48.09 - all Nos |
| II P 4 | 55.08 | Terry towelling and similar terry fabrics, of cotton | 55.08 - all Nos |
| II P 5 | 56.05 | Yarn of man-made fibres (discontinuous or waste), not put up for retail sale | 56.05 - all Nos |
| II P 6 | 57.06 | Yarn of jute or of other textile bast fibres of heading No 57.03 | 57.06 - all Nos |
| II P 7 | 62.02 | Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles | 62.02 - all Nos |
| | 62.03 | Sacks and bags, of a kind used for the packing of goods: | |
| II P 8 | | A. Of jute or of other textile bast fibres of heading No 57.03 | 62.03-11, 13, 15, 17 |
| | | B. Of other textile materials: | |
| II P 9 | | II. Other | 62.03-95, 96, 97, 98 |
| II P 10 | 68.01 | Road and paving setts, curbs and flagstones, of natural stone (except slate) | 68.01 - all Nos |
| II P 11 | 68.03 | Worked slate and articles of slate, including articles of agglomerated slate | 68.03 - all Nos |