REGULATION (EEC) No 1534/74 OF THE COUNCIL

of 17 June 1974

on the opening, allocation and administration of a Community tariff quota for polypropylene falling within subheading 39.02 C IV of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Whereas there is at present in the Community a shortage of polypropylene falling under subheading 39.02 C IV of the Common Customs Tariff;

Whereas in order to facilitate the adaptation of undertakings and to permit their supplies, in the most urgent cases, of the products in question under the most favourable conditions, there are grounds for opening a zero-duty Community tariff quota of 3 500 metric tons corresponding to the requirements which cannot be met out of Community production;

Whereas equal and continuous access to the quota should be ensured for all Community importers; whereas, however, in view of the particularly critical nature of the supply situation in certain undertakings, a predominant share of the quota in question should be provided for Ireland, the participation of the other Member States in the operation of the quota being assured by the provision of less substantial initial shares and by the provision of a reserve adequate for this purpose,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 July to 31 December 1974, a Community tariff quota of 3 500 metric tons shall be opened in the Community for polypropylene falling within subheading 39.02 C IV of the Common Customs Tariff.

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

3. 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. A first tranche of 2 500 metric tons of the Community tariff quota set out in Article 1 shall be allocated among Member States as follows:

Ireland	2 490 metric tons
Germany	1 metric ton
Benelux	3 metric tons
Denmark	2 metric tons
France	1 metric ton
Italy	1 metric ton
United Kingdom	2 metric tons

2. The second tranche amounting to a quantity of 1 000 metric tons shall constitute the reserve.

Article 3

1. If 90 % or more of the Member State's initial share, minus — where Article 5 is applied — the portion returned to the reserve, has been used up, the Member State shall, by notifying the Commission, draw without delay a second share equal to 10 % of the initial share, rounded up where necessary to the next unit, to the extent permitted by the amount of the reserve.

2. If after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, the Member State shall, in the same way, draw a third share equal to 5 % of its initial share.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, the Member State shall, in the same way, draw a fourth share equal to the third.

This process shall continue to apply until the reserve is used up.

4. Notwithstanding paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified therein if there are grounds for believing that the latter may not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1974.

Article 5

A Member State which on 15 September 1974 has not used up its initial share shall return to the reserve, not later than 10 October 1974, the unused portion exceeding 20 % of the initial account. It may return a greater portion if there are grounds for believing that it may not be used up.

Member States shall, not later than 10 October 1974, notify the Commission of the total quantities of the said goods imported up to and including 15 September 1974 and charged against the Community tariff quota and of any quantities of the initial share returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as it has been notified, inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 15 October 1974, of the amount still in reserve after the return of shares, pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3, are opened in such a way that charges may be made without interruption against their accumulated share of the Community quota.

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

3. The Member States shall charge imports of the said goods against their share as and when the goods are entered with the customs authorities for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

Member States shall regularly inform the Commission of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on the third 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 Luxembourg, 17 June 1974.

For the Council

The President

J. ERTL