REGULATION (EEC) No 167/74 OF THE COUNCIL

of 22 January 1974

on the opening, allocation and 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 (1974)

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 [1], entered into 8 November 1971, provides that as from 1 January 1972, the aforesaid quota of 22 000 tons must be regarded as meaning boned meat;

Whereas Articles 59 and 60 of the Act [2] annexed to the Treaty concerning the Accession of new Member States to the European Economic Community and to the European Atomic Energy Community, signed on 22 January 1972, require the new Member States to apply the regulations of the common agricultural policy from 1 February 1973 and to align their customs tariff duties on those of the Common Customs Tariff in the timetable provided in Article 59; whereas the new Member States' needs for imports from third countries should, therefore be covered in 1974; whereas, in view of these considerations and of the Community Declaration annexed to the aforesaid Agreement with Argentina, an autonomous supplementary quota, also expressed in boneless meat, should be opened at a provisional level of 12 000 metric tons; whereas the total quota volume therefore amounts to 34 000 metric tons; whereas the quota duties to be applied by the new Member States should conform to the Act of Accession;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of levy for the tariff quota should be applied consistently in all Member States to all imports of the product in question 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 product in question the allocation should follow proportionately the requirements of Member States calculated both from statistics of imports from third countries during a representative reference period and from the economic outlook for the tariff in question;

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 affecting 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, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are jointly represented by the Benelux Economic Union any measure concerning the administration of the quota shares allocated to that 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 falling within subheading No 02.01 A II a) 2 of the Common Customs Tariff of 34 000 metric tons (22 000 metric tons conventional and 12 000 metric tons autonomous), expressed as boneless meat is opened for 1974.

2. For purposes of counting imports against this quota, 100 kilogrammes of meat on the bone shall be taken to be equivalent to 77 kilogrammes of boneless meat.

3. As regards the quota amounts allocated to the original Member States, the Common Customs Tariff duty applicable shall be 20 %.

4. As regards the quota amount allocated to the new Member States, the duties shall be those calculated in accordance with the provisions of the Act of Accession.

[1] OJ No L 249, 10. 11. 1971, p. 18.
[2] OJ No L 73, 27. 3. 1972, p. 14.

Article 2

The Community tariff quota mentioned in Article 1 shall be allocated as follows:

Germany	4 750 metric tons
Benelux	4 570 metric tons
France	2 290 metric tons
Italy	10 390 metric tons
Denmark	200 metric tons
Ireland	100 metric tons
United Kingdom	11 700 metric 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 to which the shares of the Member States have been used up shall be verified on the basis of imports from third countries as the product is presented for customs clearance under the declaration for consumption.

Article 4

The Member States shall regularly inform the Commission 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 this Regulation are observed.

Article 6

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

It shall apply from 1 January 1974.

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

Done at Brussels, 22 January 1974.

For the Council

The President

J. ERTL