REGULATION (EEC) No 2088/74 OF THE COUNCIL

of 2 August 1974

on the opening, allocation and administration of an autonomous Community tariff quota for 1974 for ferro-silicon falling within subheading 73.02 C 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;

Having regard to the draft Regulation submitted by the Commission;

Whereas, as regards ferro-silicon falling within subheading 73.02 C of the Common Customs Tariff, a conventional duty-free Community tariff quota of 20 000 metric tons has been opened by the Council for 1974 and allocated among the Member States by Regulation (EEC) No 3587/73 [1];

Whereas, bearing in mind present production capacity within the Community and the large increase in ferro-silicon required for the manufacture of steel, the abovementioned quota will not cover the entire Community import requirements of ferro-silicon from third countries; whereas it is therefore desirable that an autonomous Community tariff quota limited to 26 500 metric tons be opened; whereas, so as not to prejudice Community development prospects in the production area concerned, the quota duty applicable should be fixed at 7 %;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of duty for the tariff quota should be applied consistently to all imports until the quota is exhausted; whereas, in the light of these principles, arrangements for the utilization of the tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas, to correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to statistics of imports from third countries during a representative reference period and to the economic outlook for the quota period in question;

Whereas, on the basis of statistics available at the time and allowing for the foreseeable development of the ferro-silicon market during 1974, the tariff quota of 20 000 metric tons opened by Regulation (EEC) No 3587/73 was allocated in the following percentages:

Benelux	64·75
Denmark	0·75
Germany	15·00
France	0·25
Ireland	1·25
Italy	4·25
United Kingdom	13·75;

Whereas, since the quota is an autonomous Community tariff quota intended to cover additional import needs arising in the Community, the allocation of the additional share may be made on the basis of the actual needs expressed by each of the Member States; whereas Denmark, the United Kingdom, Ireland and the three Member States comprising the Benelux Economic Union have stated that they require further supplies of 1 050, 52 250, 100 and 31 050 metric tons respectively; whereas the needs of Germany and Italy may be estimated at 10 000 and 2 000 metric tons respectively; whereas in the case of France, according to the most recently available economic information and statistics, its share of the initial quota opened by the abovementioned Regulation has not been sufficiently used up to justify its participation at present in the proposed supplementary tariff quota;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented 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. From the date of entry into force of this Regulation until 31 December 1974 a tariff quota of 26 500 metric tons shall be opened in the Community in respect of ferro-silicon falling within subheading 73.02 C of the Common Customs Tariff.

2. Within this quota, the Community Customs Tariff duty shall be suspended at 7 %.

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

[1] OJ No L 365, 31. 12. 1973, p. 29.

Article 2

The Community tariff quota set out in Article 1 shall be allocated as follows among certain Member States :

Benelux	8 000 metric tons
Denmark	222 metric tons
Germany	5 500 metric tons
Ireland	22 metric tons
Italy	1 756 metric tons
United Kingdom	11 000 metric tons.

Article 3

1. Each Member State shall ensure that importers of the products in question established in its territory have free access to the share allocated to it.

2. Each Member State shall charge importations of the product in question against its share as and when the product is entered with the customs authorities for home use.

Article 4

Each Member State shall notify the Commission at regular intervals of the importations charged against its share.

Article 5

The Member States and the Commission shall co-operate closely to ensure that this Regulation is complied with.

Article 6

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

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

Done at Brussels, 2 August 1974.

For the Council

The President

B. DESTREMAU