REGULATION (EEC) No 2092/74 OF THE COUNCIL

of 2 August 1974

increasing the Community tariff quota opened for 1974 by Regulation (EEC) No 3591/73 for unwrought magnesium falling within subheading 77.01 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 Article 113 thereof;

Having regard to the proposal from the Commission;

Whereas, for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff, a Community tariff quota for 1974 totalling 10 250 metric tons has been opened by the Council and allocated among the Member States by Regulation (EEC) No 3591/73 (1);

Whereas the economic data at present available with regard to the consumption and production of unwrought magnesium do not yet permit Community requirements of imports from non-member countries to be evaluated with sufficient precision; whereas it appears that certain Member States have considerable magnesium requirements which cannot be met by Community production; whereas the quota concerned should therefore be increased by an appropriate amount, approximately 6 750 metric tons; whereas the fixing at this level of this supplementary quota does not preclude further adjustments during the quota period; whereas, in view, moreover, on the one hand of the present requirements in unwrought magnesium not in alloy with a pure magnesium content of not less than 99·95 %, not produced within the Community, and on the other hand of the quantities available in the Community and of the possible increase in production by Community industries based principally on unwrought magnesium not in alloy, and also the possibility of duty-free imports under agreements concluded by the Community with certain non-acceding EFTA countries, it can be estimated that short-term requirements for imports of unwrought magnesium may, within the limit of the proposed increase, reach 1 500 metric tons of unwrought magnesium containing 99·95 % or more by weight of pure magnesium (extra-pure magnesium), 1 000 metric tons of unwrought magnesium containing 99·8 % or more by weight and not exceeding 99·95 % of pure magnesium (unwrought magnesium not in alloy), and 4 250 metric tons of unwrought magnesium containing not more than 99·8 % by weight of pure magnesium (unwrought magnesium in alloy);

Whereas as far as the distribution of the above quota volumes between Member States is concerned, it is necessary to apply the criterion contained in Regulation (EEC) No 3591/73 for unwrought magnesium in alloy; whereas, as far as unwrought magnesium not in alloy is concerned, it is necessary to maintain the pro rata arrangement for supplementary importation requirements; whereas for the volume of extra-pure unwrought magnesium, in the absence of statistical data relating to importations coming from third countries, it is necessary to consider distribution based, in particular, on the specific requirements of processing industries of each Member State; whereas, on the basis of information at present to hand, it appears that the British industry is almost the only one using this special quality of magnesium; whereas, in consequence, it is necessary to allot to the United Kingdom a preponderant share of the quota volume in question, allotting to the other Member States less important shares, while safeguarding the Community character of this quota by setting up an adequate reserve,

HAS ADOPTED THIS REGULATION:

Article 1

The volume of the Community tariff quota opened by Regulation (EEC) No 3591/73 for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff is hereby increased from 10 250 to 17 000 metric tons.

This increase of 6 750 metric tons shall be allocated as follows:

(a) 1 500 metric tons of unwrought magnesium containing 99·95 % or more by weight of pure magnesium (extra-pure magnesium), intended for the nuclear industry and under customs supervision or equivalent administrative supervision;

(b) 1 000 metric tons of unwrought magnesium containing not less than 99·8 % but less than 99·95 % by weight of pure magnesium (unwrought magnesium not in alloy);

(c) 4 250 metric tons of unwrought magnesium containing less than 99·8 % by weight of pure magnesium (unwrought magnesium in alloy).

Article 2

1. A first tranche of each of the amounts referred to in Article 1, of 1 200 metric tons of extra-pure magnesium, 830 metric tons of unwrought magnesium

(1) OJ No L 365, 31. 12. 1973, p. 39.

not in alloy and 3 111 metric tons of unwrought magnesium, in alloy, shall be allocated among the Member States as follows :

(a) For extra-pure unwrought magnesium :

Benelux	3 metric tons
Denmark	1 metric ton
Germany	1 metric ton
France	1 metric ton
Ireland	1 metric ton
Italy	1 metric ton
United Kingdom	1 192 metric tons ;

(b) for unwrought magnesium not in alloy :

Benelux	152·7 metric tons
Germany	478·5 metric tons
France	98·6 metric tons
Italy	6·2 metric tons
United Kingdom	94·0 metric tons ;

(c) for unwrought magnesium in alloy :

Benelux	150 metric tons
Denmark	1 metric ton
Germany	2 904 metric tons
France	1 metric ton
Ireland	1 metric ton
Italy	39 metric tons
United Kingdom	15 metric tons.

2. The second tranche of 300 metric tons, 170 metric tons and 1 139 metric tons respectively shall constitute the reserve.

The amounts of the reserve for the latter two types of unwrought magnesium, provided for in Article 2 (2) of Regulation (EEC) No 3591/73, shall be increased respectively :

(a) from 150 metric tons to 320 metric tons for unwrought magnesium not in alloy ;

(b) from 1 000 metric tons to 2 139 metric tons for unwrought magnesium in alloy.

Article 3

Should Denmark or Ireland require additional unwrought magnesium not in alloy, they shall draw a sufficient share from the appropriate reserve to the extent that the reserve so permits.

Article 4

This Regulation shall enter into force on the seventh 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 Brussels, 2 August 1974.

For the Council

The President

B. DESTREMAU