REGULATION (EEC) No 2423/74 OF THE COUNCIL

of 23 September 1974

on the opening, allocation and administration of a Community tariff quota 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 113 thereof;

Having regard to the proposal from the Commission;

Whereas, as regards ferro-silicon, falling within subheading 73.02 C, the European Economic Community has undertaken to open an annual duty-free Community tariff quota of 20 000 metric tons; whereas the tariff quota concerned should therefore be opened on 1 January 1975 and allocated among the Member States; whereas the duties to be applied by the new Member States within the tariff quota must comply with the relevant provisions of the Act of Accession;

Whereas arrangements for the utilization of the Community tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas, in order that it may 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, during the past three years for which statistics are fully available, the corresponding imports into each of the Member States represented the following percentages of the total imports of the product in question:

	1971	*1972*	*1973*
Benelux	20·85	15·69	20·33
Denmark	0·31	2·02	0·64
Germany	49·77	49·74	61·60
France	0·10	0·31	0·33
Ireland	0·02	0·65	0·00
Italy	13·55	8·81	10·67
United Kingdom	15·40	22·78	6·44

Whereas, in view of these factors and of market forecasts for ferro-silicon for 1975, the percentage shares in the quota volume can be expressed roughly as follows:

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

Whereas, since this tariff quota is for a relatively small quantity, it seems possible to provide for a system of use based on only one allocation and at the same time preserve the Community nature of the quota; whereas such an allocation may therefore be based on the percentage figures shown in the table above;

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 any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period from 1 January to 31 December 1975 a Community tariff quota of 20 000 metric tons shall be opened in the Community for ferro-silicon, falling within subheading 73.02 C of the Common Customs Tariff.

2. Imports of the product in question shall not be counted under this tariff quota if they are already free of customs duties under other preferential tariff treatment applied by certain Member States, in particular under free trade arrangements.

3. Within this tariff quota the Common Customs Tariff duty shall be totally suspended.

4. The new Member States shall also apply duty exemptions within this quota.

Article 2

The Community tariff quota referred to in Article 1 shall be divided between Member States as follows:

Benelux	12 950 metric tons
Denmark	150 metric tons
Germany	3 000 metric tons
France	50 metric tons
Ireland	250 metric tons
Italy	850 metric tons
United Kingdom	2 750 metric tons

Article 3

1. Member States shall ensure that importers of the product in question established in their territory have free access to the shares allocated to them.

2. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the products in question entered with the customs authorities for home use.

Article 4

Member States shall inform the Commission at regular intervals of the imports actually charged against their shares.

Article 5

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

Article 6

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 23 September 1974.

For the Council

The President

Ch. PONCELET