REGULATION (EEC) No 3257/74 OF THE COUNCIL

of 19 December 1974

increasing the Community tariff quota opened for 1974 by Regulation (EEC) No 3590/73 for newsprint falling within subheading 48.01 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 28 thereof;

Having consulted the Commission;

Whereas, for newsprint falling within subheading 48.01 A of the Common Customs Tariff, a duty-free Community tariff quota, the amount of which has been fixed at 3 053 000 metric tons, has been opened by the Council and allocated among the Member States by Regulation (EEC) No 3590/73 [1]; whereas, by Regulation (EEC) No 1409/74 [2], the benefit of the tariff quota in question was extended to certain types of paper falling within subheading 48.01 E which, apart from the criterion of watermarks, correspond to the definition of newsprint given in the Additional Note to Chapter 48 of the Common Customs Tariff;

Whereas, on the basis of the most recent data on this product for 1974, it may be estimated that the additional imports from non-member countries required by the Community amount to 15 000 metric tons; whereas the size of the quota should be increased by this quantity to take account of the requirements noted; whereas, in order to safeguard the Community character of the tariff quota in question, a Community reserve equal to the proposed increase should be set up;

Whereas the initial shares allocated to Member States may be exhausted at different rates; whereas to take account of this and to avoid disruption of supplies it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost exhausted a Member State should draw a further share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to keep account of the extent to which the quotas have been used up and to inform the Member States accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

1. The volume of the Community tariff quota opened by Regulation (EEC) No 3590/73 for newsprint falling within subheading 48.01 A of the Common Customs Tariff is hereby increased from 3 053 000 to 3 068 000 metric tons.

2. This increase of 15 000 metric tons shall constitute a reserve.

Article 2

1. As soon as a Member State has used 90 % or more of its share as fixed in Article 2 of Regulation (EEC) No 3590/73, it shall forthwith, by notifying the Commission, draw a second share to the extent that the reserve so permits, equal to 10 % of its initial share rounded up as necessary to the next whole number.

2. As soon as a Member State, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share.

3. As soon as a Member State, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall forthwith, and in accordance with the same conditions and to the extent provided in paragraph 1, draw a fourth share equal to the third.

It shall continue in this fashion until the reserve is exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, the Member States may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

[1] OJ No L 365, 31. 12. 1973, p. 36.
[2] OJ No L 150, 7. 6. 1974, p. 3.

Article 3

Additional shares drawn pursuant to Article 2 shall be valid until 31 December 1974.

Article 4

The Commission shall keep an account of the shares opened by the Member States pursuant to Article 2 of Regulation (EEC) No 3590/73 and Article 2 of this Regulation and, as soon as the information reaches it, shall inform each Member State of the extent to which the reserves have been used up.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 5

Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 2 are opened in such a way that imports may be charged without interruption against its accumulated share of the quota.

Article 6

This Regulation shall enter into force on the day of 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, 19 December 1974.

For the Council

The President

J. P. FOURCADE