# REGULATION (EEC) No 1600/75 OF THE COUNCIL

## of 24 June 1975

## on the opening, allocation and administration of a Community tariff quota for products falling within subheading 22.09 C I of the Common Customs Tariff, originating in the ACP States

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 the ACP-EEC Lomé convention, signed on 28 February 1975, provides in Article 2 (1), together with Protocol 7 annexed thereto, that until the entry into force of a common organization of the market in spirits, products falling within tariff subheading 22.09 C I (rum, arrack, tafia), originating in the ACP States, shall be imported into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the past three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 13 % on the other markets of the European Economic Community, these growth rates being based on foreseeable internal demand in each Member State; whereas the exchange of letters at Lomé on 28 February 1975 relating to the advance implementation of certain provisions of the said convention provides in particular that the Community shall apply the said Protocol 7 autonomously as from 1 July 1975;

Having regard to the levels reached by imports of the products concerned into the Community and the Member States during the past three years for which statistical information is available;

Whereas, initially, conditions should be laid down for the advance implementation of the provisions concerned for the period from 1 July to 31 December 1975; whereas for that period, on the basis of statistical information and taking into account a higher estimated consumption during the second half of each calendar year, the volume of the tariff quota should be fixed at 109 200 hectolitres of pure alcohol;

Whereas it seems likely that arrangements for using the tariff quota based on allocation between the United Kingdom and the Member States would reconcile the application of the growth rates provided for in Protocol 7 with the uninterrupted application of the duty free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted; whereas, in order to reflect as closely as possible the actual trends on the markets in the products concerned, such allocation should be made in accordance with the requirements of the Member States;

Whereas measures should be laid down to ensure that Protocol 7 is implemented under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States;

Whereas, since the Kingdom of Belgium, 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 shares allocated to that Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

*Article 1*

From 1 July until 31 December 1975 rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff, originating in the ACP States, shall be imported duty free into the Community within the limits of a Community tariff quota of 109 200 hectolitres of pure alcohol.

These products are considered as originating in the ACP States if they fulfil the conditions laid down in Council Regulation (EEC) No 1598/75 (1) of 24 June 1975 on the advance implementation of certain provisions of the ACP-EEC Lomé convention relating to trade in goods.

*Article 2*

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment of 83 200 hectolitres of pure alcohol shall be for United Kingdom consumption. The second instalment of 26 000 hectolitres of pure alcohol shall be allocated among the other Member States.

2. The share of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall be valid until the end of the period stipulated in Article 1 and shall consist of the following quantities, indicated in hectolitres, of pure alcohol:

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|---|---|
| Benelux: | 2 275, |
| Denmark: | 1 885, |
| Germany: | 16 900, |
| France: | 3 900, |
| Ireland: | 650, |
| Italy: | 390. |

*Article 3*

Member States shall manage the shares allocated to them in accordance with their own arrangements.

*Article 4*

Member States shall inform the Commission each month of imports actually charged against the tariff quota.

The United Kindom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.

*Article 5*

Articles 5, 6, 7 and 8 of Regulation (EEC) No 1598/75 shall apply in respect of the products covered by this Regulation.

*Article 6*

The Member States and the Commission shall cooperate closely in order to ensure compliance with this Regulation.

*Article 7*

This Regulation shall enter into force on 1 July 1975.

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

Done at Luxembourg, 24 June 1975.

*For the Council*

*The President*

G. FITZGERALD

(1) See page 1 of this Official Journal.