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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2580/76

of 21 October 1976

opening, allocating and providing for the administration of tariff quotas for certain paper and paperboard, falling within subheadings ex 48.01 C II and 48.01 E of the Common Customs Tariff, originating in Portugal

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 Article 4 of the Interim Agreement between the European Economic Community and the Portuguese Republic [1] lays down that the Community as originally constituted and Ireland should open annual duty-free tariff quotas for Kraftliner and for other paper and paperboard falling within subheadings ex 48.01 C II and 48.01 E of the Common Customs Tariff originating in Portugal, of 42 000 and 1 500 metric tons respectively; whereas the *pro rata temporis* clause is applicable; whereas the abovementioned Agreement enters into force on 1 November 1976; whereas the tariff quotas in question should therefore be opened on 1 November 1976;

Whereas a system of utilizing Community tariff quotas based on allocation among the Member States concerned would appear consistent with the Community nature of the said quotas; whereas, in order to represent as closely as possible actual trends in the market in the product in question, the allocation should be proportionate to the requirements calculated with reference both to statistical data on imports originating in Portugal during a representative reference period and to the economic prospects for the quota period in question;

Whereas, however, since the quota period is very short, and without thereby derogating from the abovementioned principle, it is advisable to apply, exceptionally, a single scale for the allocation of these two quotas among the Member States, which could be approximately as follows:

Benelux	27,
Germany	41,
France	21,
Ireland	2,
Italy	9;

Whereas, since the tariff quotas in question are relatively small, it would seem possible to provide for a system of allocation based on a single apportionment, without thereby derogating from the Community nature of these tariff quotas; whereas this apportionment could therefore be carried out according to the percentages shown in the abovementioned table;

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 quota shares allocated to that Economic Union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 November 1976 to 31 December 1976 duty-free tariff quotas shall be opened in the Community as originally constituted and Ireland for products originating in Portugal and within the limits shown below:

[1] OJ No L 266, 29. 9. 1976, p. 1.

(in metric tons)

CCT heading No	Description of goods	Tariff quota
48.01	Paper and paperboard (including cellulose wadding), machine-made, in rolls or sheets :	
	C. Kraft paper and kraft board :	
	ex II. Other :	
	— Kraftliner	7 000
	E. Other	250

Article 2

The tariff quotas indicated in Article 1 shall be allocated as follows among the Member States referred to in Article 1 :

(in metric tons)

Member State	Products falling within subheading	
	ex 48.01 C II	48.01 E
Benelux	1 890	67·5
Germany	2 870	102·5
France	1 470	52·5
Ireland	140	5·0
Italy	630	22·5

Article 3

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

2. The extent to which the shares of the Member States have been used up shall be determined on the basis of imports of the product in question as the product is entered for home use.

Article 4

At the Commission's request the Member States shall keep it informed of the imports actually charged against their shares.

Article 5

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

Article 6

This Regulation shall enter into force on 1 November 1976.

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

Done at Luxembourg, 21 October 1976.

For the Council

The President

L. J. BRINKHORST