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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2929/76

of 29 November 1976

increasing the Community tariff quota opened for 1976 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 1976 totalling 9 350 metric tons was opened by the Council and allocated among the Member States by Regulations (EEC) No 126/76 [1] and (EEC) No 1630/76 [2];

Whereas the economic data at present available with regard to the consumption, production, exports to non-member countries, imports under the inward processing or other preferential tariff arrangements and to the abnormal stocks existing in one Member State on 31 December 1975 enable it to be estimated that Community requirements for imports from non-member countries could reach, in the course of 1976, a level of 25 000 metric tons; whereas in view of the quota volume already opened by the abovementioned Regulations, of the uncertainty as to the levels which Community production and consumption might reach and of the quantities available within the Community either from stocks accumulated in 1975 or from production in 1976, the increase should be limited to 3 750 metric tons;

Whereas in view, moreover, on the one hand of the present requirements in unwrought magnesium with a pure content of not less than 99·95 % and on the other hand of the quantities available in the Community 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 50 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 2 700 metric tons of unwrought magnesium containing less than 99·8 % by weight of pure magnesium (unwrought magnesium in alloy);

Whereas as far as the distribution of the above quota volume between Member States is concerned, it is necessary to allot to the Community reserves all the supplementary volumes allocated to extra-pure magnesium and unwrought magnesium in alloy and also a relatively small part of the supplementary volume allocated to unwrought magnesium not in alloy, the balance of this volume being divided among the Member States in accordance with the percentages originally used,

HAS ADOPTED THIS REGULATION:

Article 1

The volume of the Community tariff quota opened by Regulations (EEC) No 126/76 and (EEC) No 1630/76 for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff is hereby increased from 9 350 to 13 100 metric tons.

This increase of 3 750 metric tons shall be allocated as follows:

(a) 50 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;

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[1] OJ No L 14, 23. 1. 1976, p. 1.
[2] OJ No L 181, 7. 7. 1976, p. 4.

(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) 2 700 metric tons of unwrought magnesium containing less than 99·8 % by weight of pure magnesium (unwrought magnesium in alloy).

Article 2

The volumes of 50 metric tons and 2 700 metric tons referred to in Article 1 (a) and (c) allocated to extra-pure unwrought magnesium intended for the nuclear industry and to unwrought magnesium in alloy shall be allotted to the Community reserves set up under Articles 2 (1) and 3 (2) of Regulation (EEC) No 126/76 as amended by Regulation (EEC) No 1630/76, which shall thus be increased from 950 to 1 000 metric tons and from 3 325 to 6 025 metric tons respectively.

Article 3

1. A first tranche of the amount referred to in Article 1 (b), of 900 metric tons of unwrought magnesium not in alloy, shall be allocated among the Member States as follows:

	(in metric tons)
Benelux	150·7
Denmark	0·35
Germany	610·2
France	30
Ireland	0·35
Italy	3
United Kingdom	105·4

2. The second tranche of 100 metric tons shall constitute the reserve.

The amount of the reserve for unwrought magnesium not in alloy, provided for in Article 3 (2) of Regulation (EEC) No 126/76, as amended by Regulation (EEC) No 1630/76, shall be increased from 190 to 290 metric tons.

Article 4

This Regulation shall enter into force on the third 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, 29 November 1976.

For the Council

The President

J. A. van KEMENADE