COUNCIL REGULATION (EEC) No 3037/76

of 9 December 1976

establishing ceilings and Community supervision of imports of certain products originating in Israel (1977)

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 2 of the Agreement between the European Economic Community and the State of Israel [1], signed on 11 May 1975, and Articles 1 and 2 of Protocol 1 annexed thereto, make provision for the progressive abolition of customs duties in respect of the products to which the Agreement applies; whereas by way of derogation from these Articles, Article 5 of that Protocol provides that for imports of products listed in that Article the reduction of duties shall be limited to ceilings, above which the customs duties applicable to third countries may be reintroduced; whereas the ceilings to be applied in 1977 should therefore be determined; whereas the application of ceilings requires that the Community be regularly informed of the trend of imports of the products in question originating in Israel; whereas it is, therefore, desirable that imports of these products be subjected to a system of supervision;

Whereas this objective may be achieved by means of an administrative procedure based on setting off imports of the products in question against the ceilings at Community level, as and when these products are submitted to the customs authorities under cover of declarations that they have been made available for home use; whereas this administrative procedure must make provision for the reintroduction of customs tariff duties as soon as the ceilings have been reached at Community level;

Whereas this administrative procedure requires close and particulary rapid cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of amounts set off against the ceilings and keep the Member States informed; whereas this cooperation must be all the closer since the Commission must be able to take adequate measures to reintroduce customs tariff duties whenever one of the ceilings has been reached;

Whereas the trend of imports of certain products not subject to ceilings should also be followed; whereas it is therefore desirable that imports of such products should also be subjected to a system of supervision,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1977, imports of products originating in Israel listed in Annex I shall be subject to annual ceilings and Community supervision.

The description of the products referred to in the first paragraph, their tariff headings and statistic numbers and the levels of the ceilings are given in Annex 1.

2. Amounts shall be set off against the ceilings as and when products are submitted to the customs authorities under cover of a declaration that they have been made available for home use and accompanied by a movement certificate conforming to the rules contained in Protocol 3 to the Agreement between the Community and Israel. However, in the case of products falling within Chapter 27, the certificate of origin may replace the movement certificate.

Goods shall be set off against the ceiling only if the movement certificate or, in the case of goods falling within Chapter 27, the certificate of origin has been submitted before the date on which customs duties are reimposed.

[1] OJ No L 136, 28. 5. 1975, p. 3.

The reaching of a ceiling shall be determined at Community level on the basis of imports set off against it in the manner defined in the preceding subparagraphs.

The Member States shall inform the Commission at the intervals and within the time limits specified in paragraph 4 of any imports effected in accordance with the above rules.

3. As soon as the ceilings have been reached, the Commission may issue a Regulation reimposing the customs duties specified in Articles 2 and 5 (6) of Protocol 1 to the Agreement until the end of the calendar year.

4. Member States shall forward to the Commission not later than the 15th day of each month statements of the amounts set off during the preceding month. They shall, if the Commission so requests, make up such statements for periods of 10 days and forward them within five clear days of expiry of the preceding 10-day period.

Article 2

From 1 January until 31 December 1977, imports of the products referred to in Annex II which originate in Israel shall be subjected to Community supervision.

Member States shall forward to the Commission, not later than the 15th day of each month, statements of imports of the products in question effected during the preceding month; only products submitted to the customs authorities under cover of a declaration that they are to be made available for home use and accompanied by a movement certificate conforming to the rules contained in Protocol 3 to the Agreement shall be taken into consideration for this purpose.

Article 3

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

Article 4

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels, 9 December 1976.

For the Council

The President

P. J. J. MERTENS

ANNEX I

List of products subject to import ceilings in 1977

Order No	CCT heading No	Description	Nimexe code	Level of ceiling (metric tons)
1	2	3	4	5
I IL 1	27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:		661 500
		A. Light oils:		
		III. For other purposes	27.10-15, 17, 21, 25, 29	
		B. Medium oils:		
		III. For other purposes	27.10-34, 38, 39	
		C. Heavy oils:		
		I. Gas oil:		
		c) For other purposes	27.10-59	
		II. Fuel oil:		
		c) For other purposes	27.10-69	
		III. Lubricating oils; other oils:		
		c) To be mixed in accordance with the terms of Additional Note 7 to this Chapter (a)	27.10-75	
		d) For other purposes	27.10-79	
	27.11	Petroleum gases and other gaseous hydrocarbons:		
		A. Propane of a purity not less than 99 %:		
		I. For use as power or heating fuel	27.11-03	
		B. Other:		
		I. Commercial propane and commercial butane:		
		c) For other purposes	27.11-19	
	27.12	Petroleum jelly:		
		A. Crude:		
		III. For other purposes	27.12-19	
		B. Other	27.12-90	
	27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured:		
		B. Other:		
		I. Crude:		
		c) For other purposes	27.13-89	
		II. Other	27.13-90	

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Order No	CCT heading No	Description	Nimexe code	Level of ceiling (metric tons)
1	2	3	4	5
I IL 1 *(cont'd)*	27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other: II. Other	27.14-99	
I IL 2	29.02	Halogenated derivatives of hydrocarbons: A. Halogenated derivatives of acrylic hydrocarbons: III. Bromides and polybromides	29.02-40	1 985
I IL 3	42.03	Articles of apparel and clothing accessories, of leather or of composition leather: B. Gloves, including mittens and mitts	42.03-21, 25, 27, 28	3·3
I IL 4	55.05	Cotton yarn, not up for retail sale	55.05 all Nos	992
I IL 5	55.09	Other woven fabrics of cotton	55.09 all Nos	441
I IL 6	60.03	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized	60.03 all Nos	110
I IL 7	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	60.05 all Nos	496

ANNEX II

List of products referred to in Article 2

Order No	CCT heading No	Description	Nimexe code
1	2	3	4
II IL 1	28.01	Halogens (fluorine, chlorine, bromine and iodine):	
		C. Bromine	28.01-50
II IL 2	28.10	Phosphorus pentoxide and phosphoric acids (meta-, ortho- and pyro-)	28.10-00
II IL 3	28.33	Bromides, oxybromides, bromates and perbromates, and hypobromites	28.33-10, 90
II IL 4	28.40	Phosphites, hydrophosphites and phosphates:	
		B. Phosphates (including polyphosphates):	
		II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II IL 5	29.16	Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:	
		A. Carboxylic acids with alcohol function:	
		IV. Citric acid and its salts and esters	29.16-21, 23, 29
II IL 6	31.03	Mineral or chemical fertilizers, phosphatic:	
		A. Mentioned in Note 2 (A) to Chapter 31:	
		I. Superphosphates	31.03-15
II IL 7	39.02	Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene (resins):	
		C. Other:	
		VII. Polyvinyl chloride	39.02-41, 43, 45, 46, 47, 51, 52, 53, 54, 57, 59, 61, 66
II IL 8	42.02	Travel goods (for example, trunks, suitcases, hat boxes, travelling bags, rucksacks), shopping-bags, handbags, satchels, brief-cases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric:	
		ex B. Of other materials:	
		— Of leather	42.02 - ex 21, ex 31, ex 41, ex 51, ex 81

Order No	CCT heading No	Description	Nimexe code
1	2	3	4
II IL 9	42.03	Articles of apparel and clothing accessories, of leather or of composition leather:	
		A. Articles of apparel	**42.03-10**
		C. Other clothing accessories	**42.03-51,** 59
II IL 10	51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02	**51.04 all Nos**
II IL 11	56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale	**56.05 all Nos**
II IL 12	56.07	Woven fabrics of man-made fibres (discontinuous or waste)	**56.07 all Nos**
II IL 13	70.05	Unworked drawn or blown glass (including flashed glass), in rectangles	**70.05 all Nos**
II IL 14	76.03	Wrought plates, sheets and strip, of aluminium	**76.03 all Nos**