COUNCIL REGULATION (EEC) No 2864/77

of 21 December 1977

increasing the Community tariff quota opened for 1977 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 1977 totalling 9 800 tonnes was opened by the Council and allocated among the Member States by Regulations (EEC) No 2930/76 [1] and (EEC) No 1645/77 [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 1976 enable it to be estimated that Community requirements for imports from non-member countries could reach, in the course of 1977, a level of 20 900 tonnes; 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 1976 or from production in 1977 the increase should be limited to 1 400 tonnes;

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 100 tonnes of unwrought magnesium containing 99·95 % or more by weight of pure magnesium (extra-pure magnesium), 200 tonnes of unwrought magnesium containing 99·8 % or more by weight and not exceeding 99·95 % of pure magnesium (unwrought magnesium not in alloy), and 1 100 tonnes 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 2930/76 and (EEC) No 1645/77 for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff is hereby increased from 9 800 to 11 200 tonnes.

This increase of 1 400 tonnes shall be allocated as follows:

(a) 100 tonnes 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;

(b) 200 tonnes 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) 1 100 tonnes of unwrought magnesium containing less than 99·8 % by weight of pure magnesium (unwrought magnesium in alloy).

Article 2

The volumes of 100 tonnes and 1 100 tonnes 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 2930/76, as amended by Regulation (EEC) No 1645/77, which shall thus be increased from 1 100 to 1 200 tonnes and from 3 225 to 4 325 tonnes respectively.

[1] OJ No L 334, 3. 12. 1976, p. 3.
[2] OJ No L 184, 23. 7. 1977, p. 1.

Article 3

1. A first instament of the amount referred to in Article 1 (b), of 180 tonnes of unwrought magnesium not in alloy, shall be allocated among the Member States as follows :

	tonnes
Benelux	30·1
Denmark	0·1
Germany	122·0
France	6·0
Ireland	0·1
Italy	0·6
United Kingdom	21·1

2. The second instalment of 20 tonnes 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 2930/76, as amended by Regulation (EEC) No 1645/77, shall be increased from 210 to 230 tonnes.

Article 4

This Regulation shall enter into force on the 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, 21 December 1977.

For the Council

The President

J. CHABERT