COMMISSION REGULATION (EEC) No 440/77

of 1 March 1977

establishing Community surveillance over imports of certain phosphate fertilizers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1439/74 of 4 June 1974 on common rules for imports [1], and in particular Article 7 thereof,

Having consulted the Advisory Committee set up under Article 5 of the said Regulation,

Whereas imports into the Community of certain phosphate fertilizers have increased considerably in recent years;

Whereas third country exporters have thus taken an increasing share of the market in the Community;

Whereas these developments threaten to cause injury to Community producers of like or directly competing products;

Whereas for these reasons it is necessary to be able to follow the trend of imports, both of those envisaged and of those actually effected;

Whereas in this situation it is in the interests of the Community to establish, by means of the import document provided for in Article 8 of Regulation (EEC) No 1439/74, Community surveillance over these imports;

Whereas the period within which such document may be used should be fixed at three months,

HAS ADOPTED THIS REGULATION:

Article 1

Importation into the Community of superphosphates (Nimexe Code 31.03-15) and monoammonium and diammoniumorthophosphates and mixtures thereof (Nimexe Code 31.05-12) is hereby made subject to Community surveillance in accordance with the procedures set out in Articles 8 and 11 of Regulation (EEC) No 1439/74 and in this Regulation.

Article 2

The products specified in Article 1 may be put into free circulation only on production of an import document. This document shall be issued or endorsed by Member States and may be used for a maximum period of three months.

Article 3

The declaration or application by the importer as provided for in Article 8 of Regulation (EEC) No 1439/74 shall contain the information prescribed in the said Article.

Article 4

Column 3 of Annex I to Regulation (EEC) No 1439/74 is hereby amended by the addition of a reference to subheadings 31.03 A I and 31.05 A II a) of the Common Customs Tariff.

Article 5

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*. It shall apply with effect from 1 April 1977 and shall expire on 31 December 1977.

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

Done at Brussels, 1 March 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

[1] OJ No L 159, 15. 6. 1974, p. 1.