COUNCIL REGULATION (EEC) No 2853/78

of 23 November 1978

establishing ceilings and Community supervision for imports of certain products originating in Egypt, Jordan, Lebanon and Syria (1979)

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 the Cooperation Agreements between the European Economic Community and the Arab Republic of Egypt (1), the Hashemite Kingdom of Jordan (2), the Lebanese Republic (3) and the Syrian Arab Republic (4) each stipulate in Article 9 that products originating in these countries shall be imported into the Community duty free as from 1 July 1977; whereas, by way of derogation therefrom, Article 13 or 14, according to the Agreement concerned, provides that the reduction of duties shall apply to imports of the products listed therein only up to ceilings above which the customs duties applicable to third countries may be reimposed; whereas the ceilings to be applied in 1979 should therefore be established;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the products in question originating in these countries; whereas it is therefore desirable that imports of these products be subject 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 entered with customs authorities 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 particularly rapid cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation must be all the closer in that the Commission must be able to take adequate measures to reintroduce customs tariff duties whenever one of the ceilings is 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 subject to a system of supervision,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January until 31 December 1979, imports of the products originating in Egypt, Jordan, Lebanon and Syria which are enumerated in lists A of Annexes I, II, III and IV respectively shall be subject to annual ceilings and Community supervision.

The description of the products in question, their tariff headings and statistical numbers and the levels of the ceilings are given in the aforementioned lists.

2. Quantities shall be charged against the ceilings as and when products are entered with the customs authorities for home use accompanied by a movement certificate in accordance with the rules contained in the Protocols on rules of origin to the Cooperation Agreements between the Community of the one part and Egypt, Jordan, Lebanon and Syria of the other part. However, in the case of products falling within Chapter 27, a certificate of origin may be substituted for the movement certificate.

Products may be charged against the ceilings only if the movement certificate or, in the case of products falling within Chapter 27, the certificate of origin is submitted before the date on which customs duties are reimposed.

(1) OJ No L 266, 27. 9. 1978, p. 1.
(2) OJ No L 268, 27. 9. 1978, p. 1.
(3) OJ No L 267, 27. 9. 1978, p. 1.
(4) OJ No L 269, 27. 9. 1978, p. 1.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it in the manner defined in the preceding subparagraphs.

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

3. As soon as the ceilings have been reached, the Commission may adopt a Regulation reimposing until the end of the calendar year the customs duties applicable to third countries.

4. Member States shall forward to the Commission not later than the 15th day of each month statements of the quantities charged 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 days from the expiry of the preceding 10-day period.

Article 2

From 1 January until 31 December 1979, imports of the products referred to in the lists B of Annexes I, II, III and IV which originate in Egypt, Jordan, Lebanon and Syria shall be subject 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 being entered for home use and accompanied by a movement certificate conforming to the rules contained in the Protocols on rules of origin to the Cooperation Agreements.

Article 3

The Commission shall take all measures in close cooperation with the Member States, for the purposes of applying this Regulation.

Article 4

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

ANNEX I

LIST A

List of products originating in Egypt subject to import ceilings in 1979

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I ET 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:		496 125
		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 oils:		
		c) For other purposes	**27.10-59**	
		II. Fuel oils:		
		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 (tonnes)
1	2	3	4	5
I ET 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 ET 2	31.03	Mineral or chemical fertilizers, phosphatic: A. Mentioned in Note 2 (A) to this Chapter: I. Superphosphates B. Mentioned in Note 2 (B) or (C) to this Chapter	31.03-15 31.03-30	38 587
I ET 3	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos	7 717
I ET 4	55.09	Other woven fabrics of cotton	55.09-all Nos	3 583

LIST B

List of products referred to in Article 2 originating in Egypt

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II ET 1	28.40	Phosphites, hypophosphites and phosphates: B. Phosphates (including polyphosphates): II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II ET 2	76.01	Unwrought aluminium; aluminium waste and scrap: A. Unwrought B. Waste and scrap: I. Waste: b) Other (including factory rejects)	76.01-11, 15 76.01-33
II ET 3	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	76.02-all Nos
II ET 4	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos
II ET 5	76.04	Aluminium foil (whether or not embossed cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0·20 mm	76.04-all Nos

ANNEX II

LIST A

List of products originating in Jordan subject to import ceilings in 1979

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I JOR 1	55.09	Other woven fabrics of cotton	55.09-all Nos	110

LIST B

List of products referred to in Article 2 originating in Jordan

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II JOR 1	28.40	Phosphites, hypophosphites and phosphates:	
		B. Phosphates (including polyphosphates):	
		II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II JOR 2	31.03	Mineral or chemical fertilizers, phosphatic:	
		A. Mentioned in Note 2 (A) to this Chapter:	
		I. Superphosphates	31.03-15
		B. Mentioned in Note 2 (B) or (C) to this Chapter	31.03-30
	31.05	Other fertilizers; goods of this Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg:	
		A. Other fertilizers:	
II JOR 3		I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium	31.05-04, 06
II JOR 4		II. Containing the two fertilizing substances: nitrogen and phosphorus	31.05-12, 14, 16, 19
II JOR 5	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos
II JOR 6	76.01	Unwrought aluminium; aluminium waste and scrap:	
		A. Unwrought	76.01-11, 15
		B. Waste and scrap:	
		I. Waste:	
		b) Other (including factory rejects)	76.01-33
II JOR 7	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	76.02-all Nos

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II JOR 8	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos
II JOR 9	76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0·20 mm	76.04-all Nos

ANNEX III

LIST A

List of products originating in Lebanon subject to import ceilings in 1979

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I RL 1.	31.03	Mineral or chemical fertilizers, phosphatic:		
		A. Mentioned in Note 2 (A) to this Chapter:		
		I. Superphosphates	31.03-15	16 537
		B. Mentioned in Note 2 (B) or (C) to this Chapter	31.03-30	
I RL 2	55.09	Other woven fabrics of cotton	55.09-all Nos	220

LIST B

List of products referred to in Article 2 originating in Lebanon

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II RL 1	28.40	Phosphites, hypophosphites and phosphates:	
		B. Phosphates (including polyphosphates):	
		II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II RL 2	42.02	Travel goods (for example, trunks, suit-cases, 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	42.02-all Nos
II RL 3	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos
II RL 4	76.01	Unwrought aluminium; aluminium waste and scrap:	
		A. Unwrought	76.01-11, 15
		B. Waste and scrap:	
		I. Waste:	
		b) Other (including factory rejects)	76.01-33
II RL 5	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	76.02-all Nos
II RL 6	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos
II RL 7	76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0·20 mm	76.04-all Nos

ANNEX IV

LIST A

List of products originating in Syria subject to import ceilings in 1979

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
	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:		
		A. Light oil:		
		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 oils:		
		c) For other purposes	27.10-59	
		II. Fuel oils:		
		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	
I SYR 1	27.11	Petroleum gases and other gaseous hydrocarbons:		192 937
		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	
	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 SYR 2	55.09	Other woven fabrics of cotton	55.09-all Nos	551

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

LIST B

List of products referred to in Article 2 originating in Syria

Order No	CCT heading No	Description	NIMEXE code
1	2	3	4
II SYR 1	28.40	Phosphites, hypophosphites and phosphates:	
		B. Phosphates (including polyphosphates):	
		II. Other	28.40-30, 62, 65, 71, 79, 81, 85
II SYR 2	31.03	Mineral or chemical fertilizers, phosphatic:	
		A. Mentioned in Note 2 (A) to this Chapter:	
		I. Superphosphates	31.03-15
		B. Mentioned in Note 2 (B) or (C) to this Chapter	31.03-30
	31.05	Other fertilizers; goods of this Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg:	
		A. Other fertilizers:	
II SYR 3		I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium	31.05-04, 06
II SYR 4		II. Containing the two fertilizing substances: nitrogen and phosphorus	31.05-12, 14, 16, 19
II SYR 5	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos
II SYR 6	76.01	Unwrought aluminium; aluminium waste and scrap:	
		A. Unwrought	76.01-11, 15
		B. Waste and scrap:	
		I. Waste:	
		b) Other (including factory rejects)	76.01-33
II SYR 7	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	76.02-all Nos
II SYR 8	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos
II SYR 9	76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0·20 mm	76.04-all Nos