# COUNCIL REGULATION (EEC) No 1385/79

## of 3 July 1979

## increasing the Community tariff quota opened for 1979 by Regulation (EEC) No 2919/78 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 1979 totalling 5 500 tonnes has been opened by the Council and allocated among the Member States by Regulation (EEC) No 2919/78 (1);

Whereas the economic data at present available with regard to the consumption and production of unwrought magnesium do not yet permit Community requirements of imports from non-member countries to be evaluated with sufficient precision; whereas it appears that certain Member States have considerable magnesium requirements which cannot be met by Community production; whereas the quota concerned should therefore be increased by an appropriate amount, approximately 3 400 tonnes; whereas the fixing at this level of this supplementary quota does not preclude further adjustments during the quota period; whereas in view moreover on the one hand of the present requirements in unwrought magnesium not in alloy with a pure magnesium content of not less than 99·95 %, and on the other hand of the quantities available in the Community and of the possible increase in production by Community industries based principally on unwrought magnesium not in alloy, 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 300 tonnes of unwrought magnesium containing 99·95 % or more by weight of pure magnesium (extra-pure magnesium), 600 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 2 500 tonnes of unwrought magnesium containing not more than 99·8 % by weight of pure magnesium (unwrought magnesium in alloy);

Whereas as far as the distribution of the above quota volumes 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 last volume being divided among the Member States in accordance with the percentages originally used when the first increase to the quota for 1978 was made,

HAS ADOPTED THIS REGULATION:

*Article 1*

The volume of the Community tariff quota opened by Regulation (EEC) No 2919/78 for unwrought magnesium falling within subheading 77.01 A of the Common Customs Tariff is hereby increased from 5 500 to 8 900 tonnes.

This increase of 3 400 tonnes shall be allocated as follows:

(a) 300 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) 600 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) 2 500 tonnes of unwrought magnesium containing less than 99·8 % by weight of pure magnesium (unwrought magnesium in alloy).

*Article 2*

The volumes of 300 tonnes and 2 500 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 allocated to the Community reserves set up under Articles 2 (1) and 3 (2) of Regulation (EEC) No 2919/78, which shall thus be increased from 600 to 900 tonnes and from 425 to 2 925 tonnes respectively.

*Article 3*

1. A first tranche of the amount referred to in Article 1 (b), of 560 tonnes of unwrought magnesium

(1) OJ No L 354, 18. 12. 1978, p. 10.

not in alloy, shall be allocated among the Member States as follows :

| | *(tonnes)* |
|---|---|
| Benelux | 116·5 |
| Denmark | 0·2 |
| Germany | 365·5 |
| France | 12 |
| Ireland | 0·2 |
| Italy | 1·6 |
| United Kingdom | 64 |

2. The second tranche of 40 tonnes shall constitute the reserve.

The amount of the reserve for this type of unwrought magnesium, provided for in Article 3 (2) of Regulation (EEC) No 2919/78, is thus increased from 130 to 170 tonnes.

*Article 4*

This Regulation shall enter into force on the seventh 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, 3 July 1979.

*For the Council*

*The President*

M. O'KENNEDY