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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2142/86

of 7 July 1986

applying supplementary generalized tariff preferences in respect of certain industrial products originating in developing countries and sold at the Berlin 'Partners in Progress' fair

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Whereas the overseas imports fair 'Partners in Progress' is organized every year in Berlin with a view to improving the access to world markets of products originating in developing countries;

Whereas, in view of the specific features of that fair and of the unique situation of Berlin, certain measures should be taken in the field of generalized preferences;

Whereas, in accordance with the offer made in the context of the United Nations Conference on Trade and Development (UNCTAD), the Community opened generalized tariff preferences starting in 1971 and most recently under Regulations (EEC) No 3599/85 (1) and (EEC) No 3600/85 (2), and in particular in respect of finished and semi-finished industrial and textile products originating in developing countries;

Whereas, in the past, certain products covered by the system of quotas, ceilings or other tariff measures, being the subject of contracts for sale in the course of the Berlin fair, have not been able to benefit from the preferences, the allocated textile quotas or ceilings have been used up or the collection of customs duties having been re-established before the opening date of the fair; whereas it is important to grant additional latitude to developing countries to enable them to benefit from the generalized tariff preferences for products which have been the subject of contracts for sale at the fair; whereas in all cases this latitude should be limited to 4 % of the levels of the tariff measures applicable for each product or group of products under the abovementioned Regulations, and this additional latitude should take the form of tariff quotas to be administered by the Commission;

Whereas, without prejudice to the specific provisions of this Regulation, the application of the provisions of the annual Regulations regarding generalized tariff preferences and, in particular, in respect of the beneficiary countries, the concept of originating products and the exchange of relevant statistical data should be applied to the tariff quotas in question;

Whereas it is appropriate, however, to exclude from the benefit of this Regulation certain products originating in particular beneficiary countries;

Whereas declarations of release into free circulation submitted with a view to the import of the products in question should be accompanied by the certificate of origin and the contract concluded at the Berlin fair, the latter certified by the competent German authorities;

Whereas the German authorities must ensure that certifications of the contracts concluded at the Berlin fair do not exceed the authorized supplementary quantities;

Whereas the method of administration adopted requires close and particularly rapid cooperation between Member States and the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 September 1986 to 30 June 1987, supplementary Community tariff quotas shall, subject to Article 4, be opened for the import of products:

— mentioned in Annex I to Regulation (EEC) No 3599/85, or

— mentioned in Annexes I and II to Regulation (EEC) No 3600/85,

(1) OJ No L 352, 30. 12. 1985, p. 1.
(2) OJ No L 352, 30. 12. 1985, p. 107.

provided these products originate in one of the countries or territories benefiting from the preferences referred to in the Annexes to those Regulations and have been exhibited by the exporting countries at the Berlin 'Partners in Progress' fair and they have been the subject of sales contracts.

2. These supplementary quotas shall be 4 % of the quotas or ceilings fixed for each product or group of products in the Regulations referred to in paragraph 1.

3. Where the supplementary quotas are applied, the Common Customs Tariff duties shall be totally suspended. Eligibility for the tariff quotas shall be subject to submission of a certificate of origin, (Form A) and the contract.

4. Within the limits of the supplementary quotas, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the 1985 Act of Accession, and the relevant Regulations.

Article 2

1. Declarations of the release into free circulation of the products in question must be accompanied by the certificate of origin and by the contract concluded at the Berlin fair, the latter certified by the competent German authorities.

2. The German authorities shall ensure that the total amount covered by certified contracts does not exceed the limit fixed in Article 1 (2).

Article 3

Those provisions of the Regulations referred to in Article 1 (1) relating to the beneficiary countries, the concept of originating products and also the exchange of statistical data shall be applicable.

Article 4

The following shall be excluded from benefiting under this Regulation :

— textile products of Group I of the Multifibre Arrangement (MFA) which appear in Annex I to Regulation (EEC) No 3600/85, and originate in the countries subject to allocated Community tariff ceilings listed in the said Annex,

— industrial products listed in Annex I to this Regulation and originating in those countries subject to a quota for these products under Regulation (EEC) No 3599/85,

— industrial products listed in Annex II to this Regulation.

Article 5

The German authorities shall forward to the Commission, immediately after the end of the Berlin fair, a list of certified contracts indicating the nature and value of the goods in question and the names and addresses of the exporters and importers. The Commission shall send a copy of this list to the authorities of the other Member States.

Article 6

1. If an importer, giving notice of the imminent import of the products in question into a Member State, applies for benefit of one of the quotas, that State, having notified the Commission, shall draw a quantity corresponding to its needs, in so far as the balance of the available quota permits.

2. Drawings made under paragraph 1 shall be valid until the end of the quota period referred to in Article 1.

Article 7

1. Each Member State shall ensure that importers of the products concerned have free access to the quota as far as the balance of the quota permits.

2. Member States and the Commission shall cooperate closely to ensure compliance with this Regulation.

Article 8

This Regulation shall enter into force on the third 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, 7 July 1986.

For the Council

The President

N. LAWSON

ANNEX I

List of products which are subject to quotas under Regulation (EEC) No 3599/85 and which are excluded from benefit under this Regulation

Order No	CCT heading No and NIMEXE code	Description
(1)	(2)	(3)
10.0240	29.22 A ex III (29.22-16)	Isopropylamine and its salts
10.0260	29.23 D III (29.23-75)	Glutamic acid and its salts
10.0490	39.07 B V ex d) (39.07-53)	Bags, sachets and similar articles, of polyethylene
10.0500	ex 40.11 (*) (40.11-21, 23, 52, 53)	Rubber types, tyre cases, interchangeable tyre treads, inner tubes and tyre flaps, for wheels of all kinds : — New inner tubes and tyre cases of the kind used on bicycles, cycles with an auxiliary motor, motor-cycles or motor-scooters
10.0510	ex 40.11 (*) (40.11-10, 25, 27, 29, 40, 45, 55, 57, 62, 63, 80)	— Other (including tyre cases with sewn-in inner tubes, for racing bicycles and tyre flaps)
10.0520	41.02 (41.02-21, 28, 31, 32, 35, 37, 98)	Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No 41.06 or 41.08 : ex C. Other, excluding leather not further prepared than tanned
10.0570	42.02 (42.02-21, 23, 25, 31, 35, 41, 49, 51, 59, 60, 91, 99)	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 : B. Of other materials
10.0580	42.03 (42.03-10, 25, 27, 28, 51, 59)	Articles of apparel and clothing accessories, of leather or of composition leather : A. Articles of apparel B. Gloves, including mittens and mitts : II. Special for sports III. Other C. Other clothing accessories
10.0590	42.03 (*) (42.03-21)	Articles of apparel and clothing accessories, of leather or of composition leather : B. Gloves, including mittens and mitts : I. Protective, for all trades
10.0630	44.15 (*) (44.15-all numbers)	Plywood, blockboard, laminboard, battenboard and similar laminated wood products (including veneered panels and sheets); inlaid wood and wood marquetry

Order No	CCT heading No and NIMEXE code	Description
(1)	(2)	(3)
10.0660	64.01 (*) (**) (64.01-all numbers)	Footwear with outer soles and uppers of rubber or artificial plastic material
10.0670	64.02 (*) (**) (64.02-21, 29, 32, 34, 35, 38, 40, 41, 43, 45, 47, 49, 50, 52, 54, 56, 58, 59)	Footwear with outer soles of leather or composition leather : footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material : A. Footwear with uppers of leather
10.0680	64.02 (*) (**) (64.02-60, 61, 69, 99)	Footwear with outer soles of leather or composition leather, footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material : B. Other
10.0690	64.04 (*) (64.04-all numbers)	Footwear with outer soles of other materials
10.0700	66.01 (66.01-all numbers)	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)
10.0710	69.08 (69.08-all numbers)	Glazed setts, flags and paving, hearth and wall tiles
10.0730	69.12 (69.12-20)	Tableware and other articles of a kind commonly used for domestic or toilet purposes or other kinds of pottery : B. Stoneware
10.0800	71.16 (71.16-all numbers)	Imitation jewellery
10.0850	73.15 (73.61-10, 90)	Alloy steel and high carbon steel in the form mentioned in heading Nos 73.06 to 73.14 : A. High carbon steel : I. Ingots, blooms, billets, slabs and sheet bars : a) Forged II. Pieces roughly shaped by forging
10.0870	73.25 (73.25-11, 21, 31, 35, 39, 51, 55, 59, 98)	Stranded wire, cables, cordage, ropes, plaited bands, slings and the like, of iron or steel wire, but excluding insulated electric cables B. Other
10.0890	73.32 (73.32-67, 69)	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, screws (including screw hooks and screw rings), rivets, cotters, cotter-pins and similar articles, of iron or steel ; washers (including spring washers) of iron or steel : B. Threaded or tapped : ex II. Other : — Screws for wood
10.0950	82.09 (82.09.11, 19, 50)	Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06 and blades therefor : A. Knives
10.0960	82.14 (82.14-10)	Spoons, forks, fish-eaters, butter-knives, ladles and similar kitchen or tableware : A. Of stainless steel

Order No	CCT heading No and NIMEXE code	Description
(1)	(2)	(3)
10.0980	84.11 (84.11-03, 09, 21, 29, 35, 36, 37, 43, 45, 51, 59, 61, 63, 67, 69, 71, 73, 75)	Air pumps, vacuum pumps and air or gas compressors (including motor and turbo pumps and compressors, and free-piston generators for gas turbines) : fans, blowers and the like : A. Pumps and compressors : II. Other pumps and compressors : a) Pumps (hand or foot operated) for inflating pneumatic tyres and the like b) Other pumps and compressors
10.0995	84.41 (84.41-12, 13, 14)	Sewing machines ; furniture specially designed for sewing machines ; sewing machine needles : A. Sewing machines ; furniture specially designed for sewing machines : I. Sewing machines (lock-stitch only), with heads of a weight not exceeding, 16 kg without motor or 17 kg including the motor ; sewing machine heads (lock-stitch only), of a weight not exceeding 16 kg without motor or 17 kg including the motor II. Other sewing machines and other sewing machine heads
10.1050	85.10 (85.10-91, 95)	Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09 : B. Other
10.1055	ex 85.15 A III ex b) (85.15-46, 47, 48, 51)	Colour television receivers, with integral tube
10.1060	85.15 (85.15-12, 13, 14, 15, 19, 21, 23, 25, 31, 33, 35, 44, 45, 52, 53, 55, 57, 58, 59, 82, 84, 86, 87, 89, 91, 99)	Radiotelegraphic and radiotelephonic transmission and reception apparatus : radio-broadcasting and television transmission and reception apparatus : radio-broadcasting and television transmission and reception apparatus (including receivers, incorporating sound recorders or reproducers) and television cameras ; radio navigational aid apparatus, radar apparatus and radio remote control apparatus : A. Radiotelegraphic and radiotelephonic transmission and reception apparatus : radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras : III. Receivers, whether or not combined with a sound recorder or reproducer : ex b) Other, excluded colour television receivers with integral tube C. Parts : II. Other : c) Other
10.1110	85.21 (85.21-47, 51, 53, 54, 57, 59, 60, 61, 63, 69, 71, 73, 75, 79, 81, 91, 99)	D. Diodes, transistors and similar semiconductor devices : light-emitting diodes : electronic micro-circuits E. Parts
10.1120	87.02 A I ex b) (87.02-21)	Motor vehicles, new, of a cylinder capacity not exceeding 1 500 cm^3
10.1160	ex 91.01 (91.01-15, 22, 24, 26)	Quartz watches

Order No	CCT heading No and NIMEXE code	Description
(1)	(2)	(3)
10.1180	91.04 (91.04-all numbers)	Other clocks
10.1290	97.02 (97.02-all numbers)	Dolls of all kinds
10.1300	97.03 (97.03-all numbers)	Other toys : working models of a kind used for recreational purposes
10.1290	97.02 (97.02-all numbers)	Dolls of all kinds
10.1320	97.05 (97.05-all numbers)	Carnival articles ; entertainment articles (for example, conjuring tricks and novelty jokes) ; Christmas tree decorations and similar articles for Christmas festivities (for example, artificial Christmas trees, Christmas stockings, imitation Yule-logs, Nativity scenes and figures therefor)

(*) Preferences are not granted in respect of the products, marked with an asterisk, originating in Romania.
(**) Preferences are not granted in respect of the products, marked with two asterisks, originating in China.

ANNEX II

List of products excluded from benefiting under this Regulation

Order No	CCT heading No	Description
(1)	(2)	(3)
10.0270	29.24 ex B	Choline chloride
10.0440	38.08 (38.08-all numbers)	Rosin and resin acids, and derivatives thereof other than ester gums included in heading No 39.05 ; rosin spirit and rosin oils
10.1230	92.11 B	Television image and sound recorders or reproducers