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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2823/86

of 11 September 1986

amending Regulation (EEC) No 2870/82 on the restriction of exports of certain steel products to the United States of America

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 Community has concluded an Arrangement in the form of an Exchange of Letters with the United States of America amending the Arrangement of 21 October 1982 concerning trade in certain steel products (1);

Whereas Regulation (EEC) No 2870/82 (2), as amended by Regulation (EEC) No 3709/85 (3), should therefore be amended accordingly;

Whereas the allocation among the Member States of the export possibilities in semi-finished iron and steel products must take account of traditional trade patterns and more recent developments;

Whereas it should be specified that Regulation (EEC) No 2870/82, as amended by this Regulation, does not apply to Spain and Portugal, in accordance with the terms of Article 11 of the Arrangement of 21 October 1982,

HAS ADOPTED THIS REGULATION:

Article 1

Council Regulation (EEC) No 2870/82 is hereby amended as follows:

1. In Article 1 (1), the first subparagraph shall be completed as follows:

'However, for Community exports to the United States of iron and steel products originating in the Community listed as "semi-finished iron and steel products" in Annex I, Community limits shall be established only during the period from 15 September 1986 to 30 September 1989 for exports effected on or after 15 September 1986.';

2. Article 2 (1) shall be supplemented as follows:

'In addition, the Community export limits for semi-finished iron and steel products shall be as follows:

	(metric tonnes)
— 15 September to 31 December 1986	272 158
— 1 January to 31 December 1987	562 460
— 1 January to 31 December 1988	580 604
— 1 January to 30 September 1989	455 864

With regard to semi-finished iron and steel products listed as "slabs" in Annex I, the Community limits, comprised within the general limits for semi-finished iron and steel products, shall be as follows:

	(metric tonnes)
— 15 September to 31 December 1986	247 210
— 1 January to 31 December 1987	512 564
— 1 January to 30 September 1989	530 708
— 1 January to 30 September 1989	418 443

These quantities also include the products in the corresponding categories referred to in Article 2 of Commission Decision No 2872/82/ECSC (1), as last amended by Decision No 2827/85/ECSC (2).

(1) See page 21 of this Official Journal.
(2) OJ No L 307, 1. 11. 1982, p. 3.
(3) OJ No L 355, 31. 12. 1985, p. 55.

(1) OJ No L 307, 1. 11. 1982, p. 27.
(2) OJ No L 262, 13. 9. 1986, p. 12.';

3. In Article 2 (3) fifth and sixth indents shall be added as follows :

'— to take account of changes in the limits for semi-finished iron and steel products made pursuant to the second subparagraph of the new Article 4 (c) (1) of the Arrangement of 21 October 1982 on exports effected by the Community before 15 September 1986,

— to take account of changes in the limits for semi-finished iron and steel products made pursuant to the third paragraph of the new Article 4 (c) of the Arrangement of 21 October 1982 on additional quantities to be allocated at the discretion of the United States.

(1) OJ No L 262, 13. 9. 1986, p. 22.' ;

4. Article 3 (1) shall be replaced by the following :

'1. (a) The Community quantitative export limits established and calculated pursuant to Article 2 shall be allocated for 1986, 1987, 1988 and the period covering the first nine months of 1989 by the Commission in accordance with Annex III, with the exception of any quantities of semi-finished iron and steel products granted under the third subparagraph of the new Article 4 (c) of the Arrangement of 21 October 1982, which shall be allocated by the Commission on the basis of the circumstances and conditions under which these quantities have been granted ;

(b) For semi-finished iron and steel products, notwithstanding point (a), the Community quantitative export limits to be allocated by the Commission in accordance with Annex III shall be reduced by 90 719 metric tonnes for each of the years 1987 and 1988. These quantities of 90 719 metric tonnes, adjusted, if necessary, pursuant to the second indent of Article 2 (3), shall be allocated on 1 October 1987 and 1 October 1988 in accordance with Annex III, only to Member States which :

(i) on the basis of the export licences referred to in Article 5 (1) issued by them, have used more than 90 % of their initial quota ; and

(ii) have submitted export contracts to the Commission for at least the quantity not yet allocated by the Commission to which they would be entitled in accordance with Annex III.

Any quantity which has not been distributed on 1 October, because one or more Member States have failed to fulfil the two conditions, should be allocated among the Member States which fulfilled the conditions on 1 October, in proportion to the export contracts submitted to the Commission for that date.

The same rules shall apply for the period 15 September to 31 December 1986, but with a quantity of 45 360 metric tonnes instead of 90 719 metric tonnes to be allocated on 15 October 1986 ;

(c) Where the Community limits for semi-finished iron and steel products are adjusted in accordance with the fifth indent of Article 2 (3), the Commission shall adjust the allocation of quantity limits, taking account of the origin of the exports before 15 September 1986 which gave rise to this adjustment.' ;

5. The following shall be inserted after the date '1 January 1986' in the first subparagraph of Article 5 (1) :

'or, in the case of semi-finished iron and steel products, 15 September 1986,' ;

6. The following sentence shall be added to the second subparagraph of Article 5 (1) :

'This restriction does not affect licences issued for semi-finished iron and steel products during the period from 15 September to 31 December 1986.' ;

7. Annex I shall be supplemented by the text shown in Annex A to this Regulation ;

8. Annex III shall be supplemented by the text shown in Annex B to this Regulation ;

9. The following Article shall be added :

'Article 8a

The term "Community" means the Community as constituted on 31 December 1985, and the term "Member State" does not include Spain and Portugal.'

Article 2

This Regulation shall enter into force on the day of 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, 11 September 1986.

For the Council

The President

G. HOWE

ANNEX A

Product	NIMEXE Code (*)	TSUSA Number (*)
SEMI-FINISHED PRODUCTS	73.07-12 (235)	606.6705
	15 (235)	606.6710
Blooms and billets	73.10-17 (235)	606.6715
	20 (235)	606.6720
	73.61-10 (235)	606.6901
	50 (235)	606.6902
	73.63-10 (235)	606.6905
	29 (235)	606.6906
	73.71-13 (235)	606.6909
	14 (235)	606.6912
	19 (235)	606.6949
	51 (235)	606.6951
	54 (235)	606.6953
	55 (235)	606.6955
	56 (235)	
	59 (235)	
	73.73-13 (235)	
	14 (235)	
	19 (235)	
	33 (235)	
	34 (235)	
	35 (235)	
	36 (235)	
	39 (235)	
Slabs (including ingots and sheet bars)	73.06-10 (236)	606.6725
	20	606.6730
	30 (236)	606.6735
	73.07-21	606.6740
	24	606.6904
	25	606.6915
	73.10-17 (236)	606.6918
	20 (236)	606.6921
	73.61-10 (236)	606.6923
	20	606.6957
	50 (236)	606.6959
	73.63-10 (236)	606.6961
	29 (236)	606.6963
	73.71-13 (236)	607.6620 (17)
	14 (236)	607.7603 (17)
	19 (236)	607.7803 (17)
	21 (236)	
	23	
	24	
	29	
	52	
	54 (236)	
	55 (236)	
	56 (236)	
	59 (236)	
	73.73-13 (236)	
	14 (236)	
	19 (236)	
	33 (236)	
	34 (236)	
	35 (236)	
	36 (236)	
	39 (236)	

(*) These numbers are subject to revision when the United States or the EEC adopts modifications to the applicable import or export nomenclature. Subject to technical adjustments to be agreed upon by experts of both parties.

(235) Covered if 'blooms' or 'billets' as defined in schedule 6, part 2, subpart B, 3 (b) of the Tariff Schedules of the United States Annotated.

(236) Covered if 'ingots', 'slabs' or 'sheet bars' as defined in schedule 6, part 2, subpart B, 3 (a) and (c) of the Tariff Schedules of the United States Annotated.

ANNEX B

	DE	FR	IT	NL	B / L	UK	EL	DE	IRL	Reserve
Semi-finished iron and steel products	50	14,5	3	15	13	4,5	—	—	—	—