COUNCIL REGULATION (EEC) No 4054/86

of 22 December 1986

establishing ceilings and Community supervision for imports of certain goods originating in Yugoslavia (1987)

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 a Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia [1] was concluded on 24 January 1983;

Whereas Article 1 of Protocol 1 annexed to that Agreement provides, that imports of the goods therein set out are limited to annual ceilings above which the customs duties applicable to third countries may be reintroduced; whereas, following the accession of the Hellenic Republic to the Community, an Additional Protocol amending the said Protocol 1 was signed on 1 April 1982; whereas, pending the entry into force of this Additional Protocol, the Community has put into force the amendments to the trade arrangements provided for in the said Protocol by Regulation (EEC) No 287/82 [2]; whereas, furthermore, a new Supplementary Protocol to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia concerning trade in textile products [3], hereinafter referred to as 'the Supplementary Protocol', has been initialled; whereas, until the Supplementary Protocol comes into force, the arrangements provided by Council Decision of 11 December 1986 on the provisional application of the Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia on trade in textile products should be applied from 1 January 1987; whereas, therefore, the ceilings to be applied in 1987 must be established; whereas in this situation it is necessary that the Commission be regularly informed of the trend of the imports of the goods in question and, in consequence, it is necessary to subject these imports to supervision;

Whereas, since a Protocol as provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal does not exist, the Community must adopt the measures referred to in Articles 180 and 367 of that Act; whereas the tariff measure concerned will, therefore, apply to the Community of Ten;

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 free circulation; 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 amounts set off against the ceilings and keep the Member States informed; whereas this cooperation must be all the closer since the Commission must be able to take adequate measures to reintroduce customs tariff duties whenever one of the ceilings has been reached;

Whereas the trend of imports should be followed for certain goods; whereas it is therefore desirable that import of such goods should be subject to superivsion,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1987, imports into the Community of Ten of certain goods originating in Yugoslavia and listed in Annexes I, II, III and IV shall be subject to ceilings and to Community supervision.

The description of the goods referred to in the preceding subparagraph, their tariff headings and statistical numbers and the levels of the indicative ceilings or sub-ceilings are given in the abovementioned Annexes. In Annex II, these ceilings are indicated in column 5, under (b).

2. The ceilings established for certain products in Annex II which have undergone an outward processing operation in conformity with the Community Regulation on economic outward processing are indicated in column 5 under (a).

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[1] OJ No L 41, 14. 2. 1983, p. 1.
[2] OJ No L 30, 6. 2. 1982, p. 1.
[3] OJ No L 245, 29. 8. 1986, p. 339.

3. Amounts shall be set off against the ceilings as and when the goods are entered with customs authorities for free circulation and accompanied by a movement certificate conforming to the rules contained in Protocol 3 to the Agreement.

With regard to the ceilings established for categories 5, 6, 7, 8, 15 and 16 of column 5 under (a) of Annex II, re-imported products which have undergone an outward processing operation in conformity with the Community Regulation on economic outward processing may be charged against the respective ceilings only if in the movement certificate issued by the competent Yugoslav authorities reference is made to the prior authorization provided for by the Community Regulation on economic outward processing.

Goods shall be set off against the ceiling or sub-ceilings only if the movement certificate has been submitted before the date on which customs duties are reimposed.

The reaching of a ceiling or sub-ceiling shall be determined at Community level on the basis of imports set off against it in the manner defined in the first, second and third subparagraphs.

The Member States shall periodically inform the Commission of imports effected in accordance with the above rules; such information shall be supplied under the conditions laid down in paragraph 5.

4. As soon as the ceilings or sub-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.

However, if customs duties are reimposed, imports of the goods listed in Annex V, which within the meaning of Protocol 2 annexed to the Agreement have obtained originating status in the free zone established by the Agreements signed at Osimo, shall continue to benefit from exemption of duties provided that this originating status is certified on the movement certificate by the competent Yugoslav authorities.

5. Member States shall forward to the Commission, not later than the 15th day of each month, statements of the amounts set off 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 clear days of expiry of the preceding 10-day period.

Article 2

From 1 January to 31 December 1987, imports of the goods originating in Yugoslavia referred to in Annex I for which the ceiling level is not specified 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; to this end, only products submitted to the customs authorities under cover of an entry for free circulation and accompanied by a movement certificate conforming to the rules contained in Protocol 3 to the Agreement shall be taken into consideration.

They shall, if the Commission so requests, make up import statements for periods of 10 days and forward them within five clear days of expiry of the preceding 10-day period.

Article 3

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 4

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

ANNEX I

Order No	CCT heading No	Description	NIMEXE-code	Level of ceiling (tonnes)
1	2	3	4	5
	31.02	Mineral of chemical fertilizers, nitrogenous:		
01.0010		B. Urea containing more than 45 % by weight of nitrogen on the dry anhydrous product	31.02-15	2 806
01.0020		C. Other	31.02-20, 30, 40, 50, 60, 70, 80, 90	24 630
01.0030	31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg	31.05-all Nos	40 840
	39.03	Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (for example, collodions, celluloid); vulcanized fibre:		
		B. Other:		
01.0040		I. Regenerated cellulose	39.03-07, 08, 12, 14, 15, 17	1 382
01.0050		II. Cellulose nitrates	39.03-21, 23, 25, 27, 29	750
	40.11	Rubber tyres, tyre cases, interchangeable tyre treads, inner tubes and tyre flaps, for wheels of all kinds:		
		B. Other:		
		II. Other:		
01.0060		— Of the kind used on bicycles or cycles with auxiliary motor, on motor-cycles or motor-scooters; tyre flaps (separately consigned); tyre cases with sewn-in inner tubes, for racing bicycles	40.11-21, 23, 40, 45, 52, 53	2 681
01.0070		— Other	40.11-25, 27, 29, 55, 57, 62, 63, 80	3 765
01.0080	ex 42.03	Articles of apparel and clothing accessories, of leather or of composition leather, excluding protective gloves for all trades	42.03-10, 25, 27, 28, 51, 59	334
01.0090	44.15	Plywood, blockboard, laminboard, battenboard and similar laminated wood products (including veneered panels and sheets); inlaid wood and wood marquetry	44.15-all Nos	120 607 m^3
01.0100	44.18	Reconstituted wood, being wood shavings, wood chips, sawdust, wood flour or other ligneous waste agglomerated with natural or artifical resins or other organic binding substances, in sheets, blocks or the like	44.18-all Nos	29 512
01.0110	64.01	Footwear with outer soles and uppers of rubber or artifical material	64.01-all Nos	454
	64.02	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 artifical plastic material:		

Order No	CCT heading No	Description	NIMEXE-code	Level of ceiling (tonnes)
1	2	3	4	5
01.0120	64.02 *(cont'd)*	A. Footwear with uppers of leather	64.02-21, 29, 32, 34, 35, 38, 40, 41, 43, 45, 47, 49, 50, 52, 54, 56, 58, 59	537
01.0130		B. Other	64.02-60, 61, 69, 99	181
01.0140	70.05	Unworked drawn or blown glass (including flashed glass), in rectangles	70.05-all Nos	5 364
	70.14	Illuminating glassware, signalling glassware and optical elements of glass, not optically worked or of optical glass:		
		A. Articles for electrical lighting fittings:		
01.0150		II. Other (for example, diffusers, ceiling lights, bowls, cups, lamp-shades, globes, tulip-shaped pieces)	70.14-19	2 021
	73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits:		
01.0160		B. Other	73.18-all Nos, excluding 73.18-02	10 722
01.0170	74.04	Wrought plates, sheets and strip, of copper	74.04-all Nos	807
01.0180	74.07	Tubes and pipes and blanks therefor, of copper; hollow bars of copper	74.07-all Nos	2 239
01.0190	76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; wire	76.02-all Nos	1 345
01.0200	76.03	Wrought plates, sheets and strip, of aluminium	76.03-all Nos	2 948
01.0210	79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes	79.03-all Nos	2 551
	85.01	Electrical goods of the following descriptions; generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors:		
		B. Other machines and apparatus		
01.0220		I. Generators, motors (whether or not equipped with speed-reducing, changing or step-up gear) and rotary converters	85.01-08, 09, 10, 11, 12, 13, 14, 15, 17, 18, 21, 23, 24, 25, 26, 28, 31, 33, 34, 36, 38, 39, 41, 42, 44, 46, 47, 49, 52, 54, 55, 56, 57, 58	4 065
01.0230		C. Parts	85.01-89, 90, 93, 95	1 620

Order No	CCT heading No	Description	NIMEXE-code	Level of ceiling (tonnes)
1	2	3	4	5
	85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including coaxial cable), whether or not fitted with connectors:		
01.0240		B. Other	85.23-all Nos, excluding 85.23-01	2 173
01.0250	85.25	Insulators of any material	85.25-all Nos	363
01.0260	87.10	Cycles (including delivery tricycles), not motorized	87.10-all Nos	Ceiling delayed
	87.14	Other vehicles (including trailers) not mechanically propelled, and parts thereof:		
		B. Trailers and semi-trailers:		
01.0270		II. Other	87.14-33, 37, 39, 43, 49	2 058
	94.01	Chairs and other seats (other than those falling within heading No 94.02), whether or not convertible into beds, and parts thereof:		
		B. Other:		
01.0280		ex II. Other, excluding seats specially designed for motor vehicles	94.01-25, 31, 39, 41, 45, 49, 60, 70, 91, 93, 99	6 703
	94.03	Other furniture and parts thereof:		
01.0290		B. Other	94.03-all Nos, excluding 94.03-11, 15, 19	5 897
01.0450	28.20	Aluminium oxide and hydroxide; artificial corundum:		
		B. Artificial corundum	28.20-30	—
01.0530	39.02	Polymerization and copolymerization products (for example, polyethylene, polyteranaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins):		
		C. Other:		
		I. Polyethylene	39.02-03, 04, 05, 06, 07, 09, 11, 12, 13	—
01.0550		VII. Polyvinyl chloride	39.02-41, 43, 45, 46, 47, 51, 52, 53, 54, 57, 59, 61, 66	—

Order No	CCT heading No	Description	NIMEXE-code	Level of ceiling (tonnes)
1	2	3	4	5
01.0590	44.11	Fibre building board of wood or other vegetable material, whether or not bonded with natural or artificial resins or with other organic binders	44.11-all Nos	—
01.0645	69.02	Refractory bricks, blocks, tiles and similar refractory constructional goods, other than goods falling within heading No 69.01	69.02-all Nos	—
01.0690	73.20	Tube and pipe fittings (for example, joints, elbows, unions and flanges), of iron or steel	73.20-all Nos	—
01.0740	76.06	Tubes and pipes and blanks therefor of aluminium; hollow bars of alluminium:		
		B. Other	76.06-all Nos, excluding 76.06-01	—
01.0770	79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire	79.02-all Nos	

ANNEX II

Order No (category)	CCT heading No	Description	NIMEXE-code	Volume of ceiling: a) for products covered by Article 1 (2) b) for products covered by Article 1 (1)
1	2	3	4	5
02.0010 (1)	55.05	Cotton yarn, not put up for retail sale	55.05-all Nos	(b) 4 950 tonnes
02.0020 (2)	55.09	Other woven fabric of cotton	55.09-all Nos	(b) 6 090 tonnes
02.0025 (2 A)		Of which other than unbleached or bleached, maximum	55.09-06, 07, 08, 09, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 70, 71, 73, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 98, 99	(b) 1 364 tonnes
02.0030 (3)	56.07	Yarn of man-made fibres (discontinuous or waste), put up for retail sale:		
		A. Of synthetic textile fibres	56.07-01, 04, 05, 07, 08, 10, 12, 15, 19, 20, 22, 25, 29, 30, 31, 35, 38, 39, 40, 41, 43, 45, 46, 47, 49	Ceiling delayed
a) 02.0050 b) 02.0055 (5)	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized:		
		A. Outer garments and clothing accessories:		
		I. Jerseys and pullovers, containing at least 50 % by weight of wool and weighing 600 g or more per article; garments of the 'cowboy' type and other similar garments for amusement and play, less than commercial size 158:		
		a) jerseys and pullovers, containing at least 50 % by weight of wool and weighing 600 g or more per article	60.05-01	
		II. Other:		
		b) Other:		
		4. Other outer garments:		
		bb) Jerseys, pullovers, slip-overs, waist-coats, twinsets, cardigans, bed jackets and jumpers:		

Order No (category)	CCT heading No	Description	NIMEXE-code	Volume of ceiling: a) for products covered by Article 1 (2) b) for products covered by Article 1 (1)
1	2	3	4	5
a) 02.0050 b) 02.0055 (5) *(cont'd)*	60.05 *(cont'd)*	11. Men's and boys': aaa) Of wool bbb) Of fine animal hair ccc) Of synthetic textile fibres ddd) Of regenerated textile fibres eee) Of cotton 22. Women's, girls' and infants': bbb) Of wool ccc) Of fine animal hair ddd) Of synthetic textile fibres eee) Of regenerated textile fibres fff) Of cotton jjj) Anoraks, windcheaters, waister jackets and the like: 11. Of wool or of fine animal hair, of cotton or of man-made textile fibres	 60.05-29 60.05-30 60.05-32 60.05-33 60.05-34 60.05-39 60.05-40 60.05-41 60.05-42 60.05-43 60.05-80	a) 3 148 000 pieces b) 1 155 000 pieces
a) 02.0060 b) 02.0065 (6)	61.01	Men's and boys' outer garments: B. Other: V. Other: d) Breeches and shorts: 1. Of wool or of fine animal hair 2. Of man-made textile fibres 3. Of cotton e) Trousers: 1. Of wool or of fine animal hair 2. Of man-made fibres 3. Of cotton	 61.01-62 61.01-64 61.01-66 61.01-72 61.01-74 61.01-76	a) 9 918 000 pieces b) 540 000 pieces
	61.02	Women's, girls' and infants' outer garments: B. Other: II. Other: e) Other: 6. Trousers and slacks: aa) Of wool or of fine animal hair bb) Of man-made textile fibres cc) Of cotton	 61.02-66 61.02-68 61.02-72	

Order No (category)	CCT heading No	Description	NIMEXE-code	Volume of ceiling: a) for products covered by Article 1 (2) b) for products covered by Article 1 (1)
1	2	3	4	5
a) 02.0070 b) 02.0075 (7)	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized:		
		A. Outer garments and clothing accessories:		
		II. Other:		
		b) Other:		
		4. Other outer garments:		
		aa) Blouses and shirt-blouses for women, girls and infants:		
		22. Of wool or of fine animal hair	60.05-22	
		33. Of synthetic textile fibres	60.05-23	a) 5 471 000 pieces
		44. Of regenerated textile fibres	60.05-24	
		55. Of cotton	60.05-25	b) 300 000 pieces
	61.02	Women's, girls' and infants' outer garments:		
		B. Other:		
		II. Other:		
		e) Other:		
		7. Blouses and shirt-blouses:		
		bb) Of man-made textile fibres	61.02-78	
		cc) Of cotton	61.02-82	
		dd) Of other textile materials	61.02-85	
a) 02.0080 b) 02.0085 (8)	61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs:		a) 14 410 000 pieces
		A. Shirts	61.03-11, 18	b) 1 680 000 pieces
02.0090 (9)	55.08	Terry towelling and similar terry fabrics, of cotton	55.08-all Nos	
	62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles:		b) 492 tonnes
		B. Other:		
		III. Toilet linen and kitchen linen		
		a) Of cotton:		
		1. Of terry towelling and similar terry fabrics	62.02-71	
a) 02.0150 b) 02.0155 (15)	61.02	Women's, girls' and infants' outer garments:		
		B. Other:		
		I. Garments of textile fabric of heading No 59.08, 59.11 or 59.12:		
		a) coats	61.02-05	

Order No (category)	CCT heading No	Description	NIMEXE-code	Volume of ceiling: a) for products covered by Article 1 (2) b) for products covered by Article 1 (1)
1	2	3	4	5
a) 02.0150 b) 02.0155 (15) *(cont'd)*	61.02 *(cont'd)*	II. Other: e) Other: 1. Jackets (excluding waister jackets) and blazers: aa) Of wool or of fine animal hair bb) Of man-made textile fibres cc) Of cotton 2. Coats and raincoats; cloaks and capes: aa) Of wool or of fine animal hair bb) Of man-made textile fibres cc) Of cotton	 61.02-31 61.02-32 61.02-33 61.02-35 61.02-36, 37 61.02-39, 40	a) 5 140 000 pieces b) 390 000 pieces
a) 02.0160 b) 02.0165 (16)	61.01	Men's and boys' outer garments: B. Other: V. Other: c) Suits and coordinate suits (excluding ski suits) 1. Of wool or of fine animal hair 2. Of man-made textile fibres 3. Of cotton	 61.01-51 61.01-54 61.01-57	a) 2 990 000 pieces b) 324 000 pieces
02.0670 (67)	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: A. Outer garments and clothing accessories: II. Other: b) Other: 5. Clothing accessories: bb) Other: 11. Of wool or fine animal hair 22. Of synthetic textile fibres 33. Of other textile materials B. Other	 60.05-92 60.05-93 60.05-94 60.05-95, 96, 97, 98, 99	b) 420 tonnes
	60.06	Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic knee-caps and elastic stockings): B. Other: II. Stockings III. Other	 60.06-92 60.06-96, 98	

ANNEX III

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 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:	27.10-75	
		c) To be mixed in accordance with the terms of Additional Note 7 to this Chapter (a)		
		d) For other purposes	27.10-79	
	27.11	Petroleum gases and other gaseous hydrocarbons:		
		A. Propane of a purity not less than 99 %:		
03.0010		I. For use as a power or heating fuel	27.11-03	574 645
		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	

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

ANNEX IV

Order No	CCT heading No	Description	NIMEXE-code	Level of ceiling (tonnes)
1	2	3	4	5
	28.05	Alkali and alkaline earth metals; rare earth metals, yttrium and scandium and intermixtures of interalloys thereof; mercury:		
		D. Mercury:		
04.0010		I. In flasks of a net capacity of 34,5 kg (standard weight), of a fob value, per flask, not exceeding 224 ECU	28.05-71	Ceiling delayed
	73.02	Ferro-alloys:		
		A. Ferro-manganese:		
04.0020		II. Other	73.02-19	Ceiling delayed
04.0030		C. Ferro-silicon	73.02-30	5 792
04.0040		D. Ferro-silico-manganese	73.02-40	891
		E. Ferro-chromium and ferro-silico-chromium:		
04.0050		I. Ferro-chromium:	73.02-52, 53, 54	1 369
04.0055		— Of which ferro-chromium containing by weight not more than 0,10 % of carbon and more than 30 % but not more than 90 % of chromium (super-refined ferro-chromium), maximum	ex 73.02-52	683
	76.01	Unwrought aluminium; aluminium waste and scrap:		
04.0070		A. Unwrought	76.01-11, 21, 29	2 381
	78.01	Unwrought lead (including argentiferous lead), lead waste and scrap:		
		A. Unwrought:		
04.0080		II. Other	78.01-12, 13, 15, 19	1 418
	79.01	Unwrought zinc; zinc waste and scrap:		
04.0090		A. Unwrought	79.01-11, 15	1 806

ANNEX V

CCT heading No	Description
44.15	Plywood, blockboard, laminboard, battenboard and similar laminated wood products (including veneered panels and sheets); inlaid wood and wood marquetry
44.18	Reconstituted wood, being wood shavings, wood chips, sawdust, wood flour or other ligneous waste agglomerated with natural or artificial resins or other organic binding substances, in sheets, blocks or the like
85.01	Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors: B. Other machines and apparatus: I. Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters C. Parts
85.25	Insulators of any material