COUNCIL REGULATION (EEC) No 3913/92

of 17 December 1992

opening and providing for the administration of Community tariff quotas for certain agricultural and industrial products (first series 1993)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas production in the Community of certain agricultural and industrial products will remain in the course of 1993 unable to meet the specific requirements of the user industries in the Community; whereas, consequently, Community supplies of products of this type will depend to a considerable extent on imports from third countries; whereas the most urgent Community requirements for the products in question should be met immediately on the most favourable terms; whereas Community tariff quotas at reduced or at zero duty should therefore be opened within the limits of appropriate volumes for a period up to 30 June or 31 December 1993 taking account of the need not to disturb the markets for such products nor the starting out or development of Community production;

Whereas it is necessary, in particular, to ensure for all Community importers equal and uninterrupted access to the said quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all imports of the products concerned into all Member States until the quotas have been used up;

Whereas the decision for the opening of autonomous tariff quotas should be taken by the Community; whereas, to ensure the efficiency of a common administration of these quotas, there is no reasonable obstacle to authorizing Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports; whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of the quantities drawn by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January 1993 until the date shown in the table below, the customs duties applicable to imports into the Community of the products listed below shall be suspended at the levels and within the limits of the Community tariff quotas shown below:

Order No	CN code (1)	Description	Amount of quota (in tonnes)	Quota duty (%)	End of quota period
09.2711	7202 41 90	Ferro-chromium containing by weight more than 6% of carbon	300 000	0	31. 12. 1993
09.2713		Sweet cherries, marinated in alcohol, of a diameter not exceeding 19,9 mm, stoned, intended for the manufacture of chocolate products (a):			
	ex 2008 60 19	— with a sugar content exceeding 9% by weight	2 000	10 + AGR	31. 12. 1993
	ex 2008 60 39	— with a sugar content not exceeding 9% by weight		10	
09.2717	ex 7202 99 19	Ferro-phosphorus containing by weight 15% or more of phosphorus, intended for the manufacture of refined phosphoric iron or steel (a)	8 000	0	31. 12. 1993

(1) See Taric codes in the Annex.
(a) The end-use of this product will be monitored in accordance with the relevant Community provisions.

Order No	CN code (1)	Description	Amount of quota (in tonnes)	Quota duty (%)	End of quota period
09.2719		Sour cherries *(Prunus cerasus)*, marinated in alcohol, of a diameter not exceeding 19,9 mm, stoned, intended for the manufacture of chocolate products (a):			
	ex 2008 60 19	— with a sugar content exceeding 9 %	2 000	10 + AGR	31. 12. 1993
	ex 2008 60 39	— with a sugar content not exceeding 9 % by weight		10	
09.2727	ex 3902 90 00	Synthetic poly-alpha-olefin having a kinetic viscosity of not less than 38×10^{-6} m² s^{-1} (38 centistokes) at 100 °C, measured using the ASTM D 445 method	4 500	0	31. 12. 1993
09.2729	ex 0811 90 99	Boysenberries, preserved by freezing, not containing added sugar, for the processing industry (a)	500	12	31. 12. 1993
09.2731	ex 3905 90 00	Polyvinylpyrrolidone, presented in powder form, the particles of which are less than 38 micrometres and which has a solubility in water at 25 °C of less than, or equal to 1,5 % by weight and which is intended for the pharmaceutical industry (a)	100	0	31. 12. 1993
09.2741	ex 8104 11 00	Unwrought magnesium having a purity of not less than 99,95 % in the form of ingots, intended for the manufacture of elements used in the nuclear industry (a)	1 700	0	31. 12. 1993
09.2744	ex 8104 11 00	Unwrought magnesium having a purity of not less than 99,95 % in the form of ingots, for the manufacture of zirconium sponge (a)	100	0	31. 12. 1993
09.2781	ex 7226 10 91	Flat-rolled products of silicon-electrical steel, cold-rolled, grain oriented, of a width not exceeding 500 mm, of a thickness of 0,23 mm or less, with a nominal magnetic inversion loss rate of 0,8 W/kg or less determined by the Epstein method with a current of 50 cycles and one induction of 1,7 tesla	300	0	31. 12. 1993
09.2791	ex 3905 90 00	Polyvinyl butyral in the form of powder, for the production of film for laminated safety glass (a)	6 500	0	31. 12. 1993
09.2799	ex 7202 49 90	Ferro-chromium containing more than 1,5 %, but not more than 2 % by weight of carbon and not more than 55 % of chromium	15 000	0	31. 12. 1993
09.2809	ex 3802 90 00	Acid-activated montmorillonite for the manufacture of self-copy paper (a)	10 500	0	31. 12. 1993
09.2811	ex 2902 90 00	4-Benzylbiphenyl	400	0	31. 12. 1993
09.2815	ex 3823 90 98	Mixtures of sucrose stearate	51	0	30. 6. 1993
09.2821	ex 8111 00 11	Electrolytic manganese of a purity by weight of 99,7 % or more, for the manufacture of non-ferrous alloys (a)	3 500	0	31. 12. 1993
09.2829	ex 3823 90 98	Solid extract of the residual insoluble in aliphatic solvents obtained during the extraction of rosin from wood, having the following characteristics: — a resin acid content by weight not exceeding 30 %, — an acid number not exceeding 110, and — a melting point of not less than 100 °C	600	0	30. 6. 1993

(1) See Taric codes in the Annex.
(a) The end-use of this product will be monitored in accordance with the relevant Community provisions.

Order No	CN code (1)	Description	Amount of quota (in tonnes)	Quota duty (%)	End of quota period
09.2837	ex 2903 40 98	Bromchloromethane	330	0	31. 12. 1993
09.2841	ex 2712 90 90	Blend of 1-alkenes containing by weight 80% or more of 1-alkenes of a chain-length of 20 or 22 carbon atoms	8 000	0	31. 12. 1993
09.2843	ex 2912 49 00	3-Phenoxybenzaldehyde	300	0	31. 12. 1993
09.2845	ex 2914 19 00	3,3-Dimethylbutanone	700	0	31. 12. 1993
09.2847	ex 2914 70 90	1-Chloro-3,3-Dimethylbutanone	900	0	31. 12. 1993
09.2855	7202 93 00	Ferroniobium	4 000	0	31. 12. 1993

(1) See Taric codes in the Annex.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 3

Where an importer presents a declaration covered by this Regulation for release for free circulation in a Member State, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the appropriate quota volume.

Requests for drawings, indicating the date on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation, to the extent that the available balance so permits.

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota volume as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated among applicants pro rata. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volume so permits.

Article 5

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

Article 6

This Regulation shall enter into force on 1 January 1993.

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

Done at Brussels, 17 December 1992.

For the Council

The President

R. NEEDHAM

ANNEX

Taric codes

Order No	CN codes	Taric codes
09.2713	2008 60 19	* 10
	2008 60 39	* 11
	2008 60 39	* 19
09.2717	7202 99 19	* 20
09.2719	2008 60 19	* 20
	2008 60 39	* 20
09.2727	3902 90 00	* 95
09.2729	0811 90 99	* 10
09.2731	3905 90 00	* 94
09.2741	8104 11 00	* 30
09.2744	8104 11 00	* 40
09.2781	7226 10 91	* 20
09.2791	3905 90 00	* 95
09.2799	7202 49 90	* 10
09.2809	3802 90 00	* 10
09.2811	2902 90 90	* 50
09.2815	3823 90 98	* 41
09.2821	8111 00 11	* 20
09.2829	3823 90 98	* 50
09.2837	2903 40 98	* 10
09.2841	2712 90 90	* 30
09.2843	2912 49 00	* 10
09.2845	2914 19 00	* 20
09.2855	2914 70 90	* 10