COUNCIL REGULATION (EEC) No 2106/93

of 22 July 1993

opening and providing for the administration of Community tariff quotas for certain agricultural and industrial products (third series 1993), and amending the Council Regulations (EEC) No 3913/92 and (EEC) No 3914/92, opening and providing for the administration of Community tariff quotas for certain agricultural, chemical and industrial products

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 the second half of 1993 and of the first half of 1994, unable to meet the specific requirements of the user industries in the 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 favourble terms; whereas Community tariff quotas at zero duty should therefore be opened within the limtis of appropriate volumes for a period from 1 July 1993, and as appropriate, until 31 December 1993 or until 30 June 1994, taking account of the need not to disturb the markets for such products nor the starting out or development of Community production;

Whereas by Regulation (EEC) No 3913/92 [1], the Council opened, for 1993, Community tariff quotas for certain industrial products, and in particular ferro-chromium containing by weight more than 6 % of carbon (order No 09.2711);

Whereas current economic data suggest that Community demand for non-Community imports of the product in question could in the course of the year exceed the volume laid down in the above Regulation; whereas the same is true of synthetic poly-alpha-olefin; whereas the volume of the quota in question should therefore be increased;

Whereas by Regulation (EEC) No 3914/92 [2] the Council opened, for 1993, a Community tariff quota for certain types of mushroom;

Whereas the benefit of this quota should be extended to other import needs and the description of this quota should consequently be amended;

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 the Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports; whereas 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 it is necessary, in particular, to ensure for all Community imports equal and uninterrupted access to the said quotas and to ensure the uninterrupted application fo 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, 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

1. From 1 July and as appropriate until 31 December 1993 or 30 June 1994, the duties applicable to imports of the following products shall be suspended at the levels and up to the limits of the Community tariff quotas shown below:

[1] OJ No L 395, 31. 12. 1992, p. 8.
[2] OJ No L 395, 31. 12. 1992, p. 12.

Order No	CN code (1)	Description	Amount of quota (in tonnes)	Quota duty (%)	Date of expiry
09.2701	ex 0301 92 00 ex 0302 66 00 ex 0303 76 00	Eels *(Anguilla spp.)*, live, fresh, chilled or frozen, intended for processing by curing or skinning enterprises or for use in the industrial manufacture of products falling within CN code 1604 (a)	5 000	0	30. 6. 1994
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 % — and acid number not exceeding 110 and — a melting point of not less than 100 °C	600	0	31. 12. 1993
09.2857	ex 2902 90 90	Diisopropylnaphtalene, mixed isomers	500	0	31. 12. 1993
09.2859	ex 2909 49 90	2,2 isopropylidene bis(*p*-phenyleneoxydiethanol) solid form	550	0	31. 12. 1993
09.2861	ex 2916 14 00	Isopropylidene-bis(*p*-phenoxyethyl) dimethacrylate)	175	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.

2. For order No 09.2711, the table in Article 1 (1) of Regulation (EEC) No 3913/92 is hereby replaced by the following table :

Order No	CN code	Description	Quota volume (tonnes)	Quota duty (%)	Quota period
09.2711	7202 41 90	Ferro-chromium containing by weight more than 6 % of carbon	550 000	0	from 1 January to 31 December 1992

3. For order No 09.2849, the table in Article 1 (1) of Regulation (EEC) No 3914/92 is hereby replaced by the following table :

Order No	CN code (1)	Description	Quota volume (tonnes)	Quota duty (%)	Quota period
09.2849	ex 0710 80 60	Mushrooms of the species *Auricularia polytricha* steamed or boiled, cut into strips of a width of 6 mm or more but not more that 8 mm, for the manufacture of prepared meals (a)	410	0	from 1 January to 31 December 1993

(1) See Taric codes in Annex.

(a) Checks on use for this specific purpose shall be carried out under the relevant Community provisions.

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 submits a product covered by this Regulation for release for free ciruclation 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 to 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

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 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, 22 July 1993.

For the Council

The President

M. OFFECIERS-VAN DE WIELE

ANNEX

Taric codes

Order No	CN codes	Taric codes
09.2701	ex 0301 92 00 ex 0302 66 00 ex 0303 76 00	0301 92 00*10 0302 66 00*10 0303 76 00*10
09.2829	ex 3823 90 98	3823 90 98*50
09.2849	ex 0710 80 60	0710 80 60*10
09.2857	ex 2902 90 90	2902 90 90*80
09.2859	ex 2909 49 90	2909 49 90*10
09.2861	ex 2916 14 00	2916 14 00*20