COUNCIL REGULATION (EC) No 3569/93

of 20 December 1993

opening and providing for the administration of Community tariff quotas for certain mixtures of malt sprouts and barley screenings

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Regulations (EEC) No 470/93 (1) and (EEC) No 992/93 (2), the Council suspended, for the period 1 January to 31 December 1993, customs duties on the products referred to in Article 1 of this Regulation within the limits of Community tariff quotas for a total of 120 000 tonnes;

Whereas it is appropriate to open, for the period 1 January to 31 December 1994, Community tariff quotas, for a total of 120 000 tonnes, for these products;

Whereas it is necessary, in particular, to ensure for all Community importers equal and uninterrupted access to the said quotas and to guarantee the uninterrupted application of the exoneration from collection of the duties to all imports of the products concerned into all Member States until the quota has been used up;

Whereas the decision to open autonomous tariff quotas should be taken by the Community; whereas, to ensure the efficiency of a common administration of these quotas, there is, however, no obstacle to authorizing the Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports; whereas this method of administration nevertheless 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 quotas may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January until 31 December 1994, the customs duties and the agricultural levies applicable to imports of the products listed below shall be suspended, within the limits of the Community tariff quotas shown below:

(tonnes)

Order No	CN code (a)	Description	Amount of quota
09.2903	ex 2309 90 31	Preparation consisting of a mixture of malt sprouts and of barley screenings before the malting process (possibly including other seeds) with barley cleanings after the malting process, and containing by weight 15,5 % or more of protein	100 000
	ex 2309 90 41	Preparation consisting of a mixture of malt sprouts and of barley screenings before the malting process (possibly including other seeds) with barley cleanings after the malting process, and containing by weight 15,5 % or more of protein and not more than 23 % of starch	
09.2905	ex 2309 90 31	Preparation consisting of a mixture of malt sprouts and of barley screenings before the malting process (possibly including other seeds) with barley cleanings after the malting process, and containing by weight 12,5 % or more of protein	20 000
	ex 2309 90 41	Preparation consisting of a mixture of malt sprouts and of barley screenings before the malting process (possibly including other seeds) with barley cleanings after the malting process, and containing by weight 12,5 % of more of protein and not more than 28 % of starch	

(a) See the Taric codes in the Annex.

(1) OJ No L 50, 2. 3. 1993, p. 1.
(2) OJ No L 104, 29. 4. 1993, p. 2.

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 product covered by Article 1 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 for release for free circulation 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 listed in Article 1 have equal and continuous access to the quotas for as long as the balance of the quota-volume so permits.

Article 5

The Member States and the Commission shall cooperate closely to ensure that Articles 1 to 4 of this Regulation are complied with.

Article 6

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 20 December 1993.

For the Council

The President

W. CLAES

ANNEX

Taric code

Order No	CN code	Taric code
09.2903	ex 2309 90 31	*10
	ex 2309 90 41	*40
09.2905	ex 2309 90 31	*15
	ex 2309 90 41	*50