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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

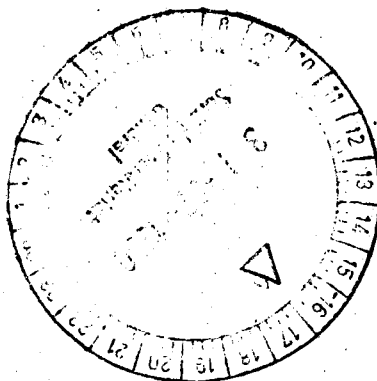
In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 449 final

Brussels, 24th July 1980



DRAFT COUNCIL REGULATION (EEC)
INCREASING THE VOLUME OF THE COMMUNITY TARIFF QUOTA
OPENED FOR 1980, FOR FERRO-CHROMIUM CONTAINING NOT LESS THAN 4%
BY WEIGHT OF CARBON AND FALLING WITHIN SUBHEADING EX 73.02 E I
OF THE COMMON CUSTOMS TARIFF

(presented by the Commission to the Council)

COM(80) 449 final

EXPLANATORY MEMORANDUM

1. By its Regulations (EEC) No 3028/79 of 20 December 1979 (1) and 1526/80 of 18 June 1980(2), the Council opened and allocated among the Member States, in respect of the year 1980, a duty-free Community tariff quota for ferro-chromium containing not less than 4% by weight of carbon (and to a limited extent a quantity of carbon of between 3 and 4% (hereinafter called 'high-carbon ferro-chromium) the volume of which was fixed at the provisional global level of 240 000 tonnes to meet the requirements of the first months, whilst not in any way precluding adjustments during the quota period.

The purpose of opening such a quota is to meet Community requirements at a nil rate and follow up the conclusion of an agreement between producers and consumers under which the consumers would have their requirements for imports from third countries met by a duty-free tariff quota in exchange for a guarantee that Community output, which has been reduced in appropriate proportions, will find a market.

2. The situation prevailing in the market for this ferro-chromium and the requirements for imports from third countries were reviewed at that meeting of the Economic Tariff Problems Group held on 13 June 1980. This meeting had been preceded by a talk with the consumers on 6 June 1980. It emerged from these discussions that :

- a) the experience gained in connection with the implementation of the Agreement in 1980 is adequate for a new increase in the volume of the quota to be contemplated without it being possible, however, to provide very precise information concerning the actual requirements for the imports from third countries.
- b) the provisional data provided by the Member States for the normal elements taken into account in calculating quotas are as follows :

(1) O.J. No. L 340 of 31.12.1979, p. 28.

(2) O.J. No. L 152 of 20. 6.1980, p. 4.

-	apparent consumption	579,000 tonnes
-	actual production	135,000 tonnes
-	inward processing traffic	negligible
-	imports at zero duty by virtue of other preferential regimes (EFTA, Zimbabwe, Turkey, etc.)	88,000 tonnes
-	exports to third countries	1,500 tonnes

c) on these basis the import needs from third countries until the end of 1980 could, taking into account the quota volume already opened, amount to an additional 120,000 tonnes.

3. This being so, the Commission feels that it is convenient, having regard to the uncertainties as to the level of consumption, Community output and the level of imports necessary from third countries and the need to ensure a parallel development of sales of Community output and supplies to the user industries on favourable conditions, to be prudent in fixing the volume of the tariff quota, so as not to endanger the equilibrium of the market. However the Commission proposes to augment the volume of the quota opened for 1980 to the level of the established deficit, that is 120,000 tonnes and to review the situation again before 31 December 1981 if it is felt necessary.

4. As is usual in such cases, the volume of the proposed increase has been divided into two instalments of which the first, which makes up about 80%, is allocated among the Member States in proportion to their forecast imports from third countries and the second, making up the balance, constitutes the Community reserve. The constitution of a reserve of this size is justified in the present case especially since the quota volume reaches an appreciable level, which is still liable to be revised, and since the initial shares assigned to each of the Member States cannot be ascertained as accurately as might be wished.

DRAFT FOR A

COUNCIL REGULATION (EEC) No/80

of1980

increasing the volume of the Community tariff quota, opened for 1980, for ferro-chromium, containing not less than 4 % by weight of carbon and falling within subheading ex 73.02 E I of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

After consulting the Commission,

Whereas by Regulations (EEC) No 3028/79⁽¹⁾ and (EEC) No 1526/80⁽²⁾, the Council opened, for 1980, and allocated among the Member States, a duty-free Community tariff quota for ferro-chromium, containing not less than 4 % by weight of carbon and falling within subheading ex 73.02 E I of the Common Customs Tariff, the volume of which was fixed at the provisional level of 240 000 tonnes; whereas the benefit of the tariff quota in question was extended by Regulation (EEC) No 3028/79 up to the limit of 20 % of its volume, to imports of ferro-chromium containing a quantity of between 3 and 4 % by weight of carbon;

Whereas it can be estimated from the economic data now available on consumption, production and imports benefiting from other preferential tariff arrangements that Community requirements of imports from third countries could, during the current year, reach a level higher than the volume of the abovementioned quota; whereas, in order not to disturb the equilibrium of the market for this ferro-alloy and to ensure parallel development in sales of Community production and satisfactory security of supplies to the consuming industries, it is appropriate to limit any increase in the quota volume to the volume of the needs foreseeable up to 31 December 1980 i.e. 120 000 tonnes, and to review the position in due course with a view to making a further adjustment;

Whereas, as regards the allocation of this volume among the Member States, it is appropriate to assign a relatively \wedge part of the additional volume to a important

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

Done at Brussels,

Community reserve, the balance of this volume being allocated among the Member States in proportion to their foreseeable needs for imports from third countries,

HAS ADOPTED THIS REGULATION:

Article 1

The volume of the Community tariff quota opened by Regulations (EEC) No 3028/79 and (EEC) No 1526/80 for ferro-chromium, containing not less than 4 % by weight of carbon and falling within subheading ex 73.02 E I of the Common Customs Tariff, shall be raised from 240 000 to 360 000 tonnes.

Article 2

1. A first instalment of the additional volume referred to in Article 1, i.e. 100 000 tonnes, shall be allocated among the Member States as follows:

	(tonnes)
Benelux	7,030
Denmark	50
Germany	48,780
France	21,620
Italy	18,020
United Kingdom	4,500

2. The second instalment of 20 000 tonnes shall constitute the reserve.

The reserve laid down by Article 2 (2) of Regulation (EEC) No 3028/79, as amended by Regulation (EEC) No 1526/80, is thus raised from 20,800 to 40,800 tonnes.

Article 3

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

For the Council
The President

(1) OJ No L 340, 31.12.1979, p. 28

(2) OJ No L 152, 20.6.1980, p. 4.