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**COUNCIL REGULATION (EC) No 2505/96
of 20 December 1996**

**opening and providing for the administration of autonomous
Community tariff quotas for certain agricultural and industrial
products**

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European 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 be insufficient 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 zero duty should therefore be opened within the limits of appropriate volumes 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 the 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 production in the Community of certain industrial products will remain, in the course of 1996, 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, by Regulation (EC) No 3059/95⁽¹⁾, the Council opened, for 1996, Community tariff quotas for certain agricultural and industrial products; whereas the volume of the quota for ferro-chromium (Order No 09.2711), for isopropylidene-bis (Order No 09.2859) and for oscillator (Order No 09.2939) should be increased;

Whereas the existing regulations opening autonomous Common Customs Tariff duties on certain industrial and agricultural products have largely renewed previous measures; whereas, therefore, in the interests of rationalizing implementation of the measures concerned, it would seem appropriate not to limit the period of validity of this Regulation as its scope can be adapted and products added to or removed from the list through a Council regulation, if necessary; whereas the transfer of unused quantities from one quota period to a subsequent one is not permissible;

⁽¹⁾ OJ No L 326, 30. 12. 1995, p. 19. Regulation as amended by Regulation (EC) No 1535/96 (OJ No L 191, 1. 8. 1996, p. 16).

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Whereas the amendments to the combined nomenclature and the Taric codes do not give rise to any substantive amendment; whereas, for reasons of simplification, provision should be made to empower the Commission, following receipt of the opinion of the Customs Code Committee, to make the necessary amendments and technical adaptations of the Annex to this Regulation, including the publication of a consolidated version;

Whereas it should be possible for this procedure to be applied in order to speed up the procedure where it becomes clear during a calendar year that an increase of a tariff quota or extension of a quota period is required; whereas such measures shall be considered to be temporary ones pending expiry of the relevant calendar year,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import duties on the goods listed in Annex I shall be suspended at the indicated duty rate for the periods and in the amounts indicated therein.

2. In Regulation (EC) No 3059/95, the table shown in the Annex shall be replaced, for Order Nos 09.2711, 09.2859 and 09.2939, by the table shown in Annex II to this Regulation.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take all appropriate administrative measures in order to ensure effective administration thereof.

Article 3

If an importer presents in a Member State an entry for release for free circulation, including a request for preferential benefit for a product covered by this Regulation and if this entry for release is accepted by the customs authorities, the Member States concerned shall inform the Commission and draw an amount corresponding to its requirements from the corresponding quota amount.

The drawing request, with indication of the date of acceptance of the said entries, must be transmitted to the Commission without delay.

The drawings are granted by the Commission by reference to the date of acceptance of the entries for release for free circulation by the customs authorities of the Member States concerned to the extent that the available balance so permits.

If a Member State does not use the quantities drawn it shall return them as soon as possible to the corresponding quota amount.

If the quantities requested are greater than the available balance of the quota amount, allocation shall be made on a pro rata basis with respect to the requests. Member States shall be informed by the Commission of the drawings made.

Article 4

Each Member State shall ensure that importers of the products concerned have equal and uninterrupted access to the quotas for such time as the residual balance of the quota volumes so permits.

Article 5

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

Article 6

The amendments and technical adaptations, including the publication of a consolidated version, arising from amendments of the combined

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nomenclature and Taric codes shall be adopted by the Commission in accordance with the procedure laid down in Article 7.

If it becomes apparent during a calendar year:

- a quota quantity is not sufficient to satisfy the needs of the Community industry, taking into account the production capacity inside the Community, or
- a prolongation of a tariff quota whose validity period has been limited is necessary beyond this period to satisfy the needs of the Community industry, taking into account the production capacity inside the Community,

the quota concerned may, until the end of the calendar year, be increased by not more than 50 % or the quota period extended for a period not exceeding six months in accordance with the procedure laid down in Article 7.

Article 7

1. The Commission shall be assisted by the Customs Code Committee set up by Article 247 of Council Regulation (EEC) No 2913/92 ⁽¹⁾.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be adopted. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt measures, which shall apply immediately. However, if those measures are not in accordance with the opinion of the Committee, they shall be communicated by the Commission to the Council forthwith. In that event the Commission shall defer application of the measures upon which it has decided for three months from the date of such communication.

The Council, acting by qualified majority, may take a different decision within the time limit referred to in the previous paragraph.

3. The Committee may examine any question concerning the application of this Regulation which is raised by its chairman, either on his own initiative or at the request of a Member State.

Article 8

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

It shall apply from 1 January 1997 with respect to Annex I and from 1 January 1996 with respect to Annex II.

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

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1. Regulation as amended by the 1994 Act of Accession.

ANNEX I

Order No	CN code	TARIC code	Description	Amount of quota	Quota duty (%)	Quota period
09.2703	ex 2825 30 00	10	Vanadium oxides and hydroxides, only for the production of alloys (*)	13 000 tonnes	0	1.1.-31.12.
09.2711	7202.41.10 7202.41.91 7202.41.99	—	Ferro-chromium containing by weight more than 4 % of carbon	► M9 ► M10 1 035 000 tonnes ◀	0	1.1.-31.12.
09.2713			Sweet cherries, marinated in alcohol, of a diameter not exceeding 19,9 mm, stoned, intended for the manufacture of chocolate products (*):	► M8 2 600 tonnes ◀		1.1.-31.12.
	ex 2008 60 19	10	with a sugar content exceeding 9 % by weight		10 (*)	
	ex 2008 60 39	11/19	with a sugar content not exceeding 9 % by weight		10	
09.2719			Sour cherries (<i>Prunus cerasus</i>), marinated in alcohol, of a diameter not exceeding 19,9 mm, intended for the manufacture of chocolate products (*):	2 000 tonnes		1.1.-31.12.
	ex 2008 60 19	20	with a sugar content exceeding 9 % by weight		10 (*)	
	ex 2008 60 39	20	with a sugar content not exceeding 9 % by weight		10	
09.2727	ex 3902 90 90	93	Synthetic poly-alpha-olefin having a viscosity of not less than $38 * 10^{-6} \text{ m}^2 \text{ s}^{-1}$ (38 centistokes) at 100 °C, measured using the ASTM D 445 method	7 500 tonnes	0	1.1.-31.12.
09.2729	ex 0811 90 95	10	Boysenberries, preserved by freezing, not containing added sugar, for the processing industry (*)	1 500 tonnes	12	1.1.-31.12.
09.2799	ex 7202 49 90	10	Ferro-chromium containing 1,5 % or more but not more than 4 % by weight of carbon and not more than 70 % by weight of chromium	35 000 tonnes	0	1.1.-31.12.

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Order No	CN code	TARIC code	Description	Amount of quota	Quota duty (%)	Quota period
09.2809	ex 3802 90 00	10	Acid-activated montmorillonite for the manufacture of self-copy paper ^(a)	10 000 tonnes	0	1.1.-31.12.
09.2829	ex 3824 90 95	19	Solid extract of the residual insoluble in aliphatic solvents obtained during the extraction of resin from wood, having the following characteristics: — a resin acid content not exceeding 30 % by weight — an acid number not exceeding 110, and — melting point of not less than 100 °C	1 600 tonnes	0	1.1.-31.12.
09.2837	ex 2903 49 80	10	Bromochloromethane	700 tonnes	0	1.1.-31.12.
09.2841	ex 2712 90 99	10	Blend of 1-alkenes containing 80 % by weight or more of 1-alkenes of a chain-length of 20 and 22 carbon atoms	8 000 tonnes	0	1.1.-31.12.
09.2849	ex 0710 80 69	10	Mushrooms of the species <i>Auricularia polytricha</i> , (uncooked or cooked by steaming or boiling), frozen, for the manufacture of prepared meals ^(a) ^(b)	700 tonnes	0	1.1.-31.12.
09.2851	ex 2907 12 00	10	0-Cresol having a purity of not less than 98,5 % by weight	13 000 tonnes	0	1.1.-31.12.
09.2853	ex 2930 90 70	35	Glutathione	15 tonnes	0	1.1.-31.12.
09.2859	ex 2909 49 90	10	2,2'-Isopropylidene-bis (p-phenyleneoxy)diethanol, in solid form	1 300 tonnes	0	1.1.-31.12.
09.2867	ex 3207 40 80	10	Glass granulate, containing by weight: — 73 % or more but not more than 77 % of silicon dioxide, — 12 % or more but not more than 18 % of diboron trioxide and — 4 % or more but not more than 8 % of polyethylene glycol	310 tonnes	0	1.1.-31.12.
09.2881	ex 3901 90 90	92	Chlorosulphonated polyethylene	6 000 tonnes	0	1.1.-31.12.

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Order No	CN code	TARIC code	Description	Amount of quota	Quota duty (%)	Quota period
09.2887	ex 2905 50 20	10	2,2,2-Trifluoroethanol	► M7 400 ◀ tonnes	0	1.1.-31.12.
09.2889	3805 10 90	—	Sulphate turpentine	20 000 tonnes	0	1.1.-31.12.
09.2913	ex 2401 10 41 ex 2401 10 49 ex 2401 10 50 ex 2401 10 70 ex 2401 10 90 ex 2401 20 41 ex 2401 20 49 ex 2401 20 50 ex 2401 20 70 ex 2401 20 90	10 10 10 10 10 10 10 10 10 10	Natural unmanufactured tobacco, whether or not cut in regular size, having a custom value of not less than EUR 450 per 100 kg net weight, for use as binder or wrapper for the manufacture of products falling within subheading 2402 10 00 (*)	6 000 tonnes	0	1.1.-31.12.
09.2914	ex 3824 90 95	26	Aqueous solution containing by weight not less than 40 % of dry betaine-extract and 5 % or more but not more than 30 % by weight of organic or inorganic salts	38 000 tonnes	0	1.1.-31.12.
09.2915	ex 3824 90 95	27	Silicon dioxide having a purity of 99 % or more by weight, in the form of spherical particles dispersed in monoethylene glycol	60 tonnes	0	1.1.-31.12.
09.2917	2930 90 14	—	Cystine	600 tonnes	0	1.1.-31.12.
09.2918	ex 2910 90 00	50	1,2-Epoxybutan	500 tonnes	0	1.1.-31.12.
09.2919	ex 8708 29 90	10	Foldings bellows for the manufacture of articulated buses (4)	2 600 units	0	1.1.-31.12.
09.2920	ex 5502 00 40	10	Cellulose acetate tow made up of 10 000 filaments or more but not exceeding 12 000 filaments, measuring 2,6 decitex or more but not exceeding 2,7 decitex per filament	350 tonnes	0	1.1.-31.12.
09.2933	ex 2903 69 90	30	1,3-Dichlorobenzene	2 600 tonnes	0	1.1.-31.12.
09.2934	ex 3818 00 10	30	Doped silicon slices, for use in the manufacture of solar cells falling within subheading 8541 40 90 (4)	15 000 000 units	0	1.1.-31.12.1999

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Order No	CN code	TARIC code	Description	Amount of quota	Quota duty (%)	Quota period
09.2935	3806 10 10	—	Rosin and resin acids, obtained from fresh oleoresins	60 000 tonnes	0	1.1.-30.6.
09.2935	3806 10 10	—	Rosin and resin acids, obtained from fresh oleoresins	50 000 tonnes	0	1.7.-31.12.
09.2936	ex 3815 90 90	45	Catalyst, in the form of powder, consisting of mixed vanadium and phosphorus oxides, containing by weight not more than 0,5 % of one of the following elements: lithium potassium, sodium, cadmium or zinc, for use in the manufacture of maleic anhydride from butane (*)	200 tonnes	0	1.1.-31.12.
09.2937	ex 3818 00 10	40	Doped silicon wafers having a diameter of 200 mm (\pm 0,25 mm), for use in the manufacture of products falling within heading No 8542 (*)	800 000 units	0	1.1.-31.12.1999
09.2939	ex 8543 89 95	43	Voltage controlled oscillator (VCO), other than temperature compensated oscillators, consisting of active and passive elements mounted on a printed circuit, contained in a housing bearing: — an identification marking consisting of or including one of the following alphanumeric combinations: 1012TDK, 1019TDK, EK304, MQC403, MQC404, MQE001, MQE041, MQE042, MQE051, MQE201, MQE411, MQE501, URAE8X956A, URAE8, URAE8X960A, VD2S40, VD2S41, VD5S07 — or other identification markings relating to devices complying with the abovementioned description	► M10 135 000 000 ◀ units	0	1.1.-31.12.
09.2942	ex 2917 19 90	40	Dodecanedioic acid of a purity by weight of more than 98,5 %	► M7 3 000 ◀ tonnes	0	1.1.-31.12.
09.2943	ex 8531 20 80	10	Liquid crystal display (LCD), other than with an active matrix, comprising electronic components, other than products with one or more of the following characteristics: — comprising one or more monolithic integrated circuits mounted on the glass ('chip on glass' technology) — having 256 000 pixels or more	► M10 60 000 000 ◀ units	0	1.1.-31.12.1999
09.2944	ex 9013 80 30	20	Liquid crystal display, other than with an active matrix, consisting of a layer of liquid crystals between two plates or sheets of glass	► M10 48 000 000 ◀ units	0	1.1.-31.12.1999

Order No	CN code	TARIC code	Description	Amount of quota	Quota duty (%)	Quota period
09.2945	ex 2940 00 90	10	D-Xylose	800 tonnes	0	1.1.-31.12.
09.2947	ex 3904 69 90	95	Poly(vinylidene fluoride), in powder form for the preparation of paint or varnish for coating metal ^(*)	1 300 tonnes	0	1.1.-31.12.
09.2948	ex 8529 90 40	10	Keypads, comprising a layer of silicone and polycarbonate keytops, for the manufacture of mobile radio-telephones of subheading 8525 20 91 ^(*)	70 000 000 units	0	1.1.-31.12.1999
09.2949	ex 8543 89 95	44	Temperature compensated oscillator, comprising a printed circuit on which are mounted at least a piezo-electric crystal and an adjustable capacitor, contained in a housing bearing: — an identification marking consisting of or including one of the following alphanumeric combinations: 3211A-ANF50, 5111B-ANL51, TCXO-111, TXO2603 — or other identification markings relating to devices complying with the abovementioned description	12 000 000 units	0	1.1.-31.12.
09.2950	ex 2905 50 20	20	2-Chloroethanol, for the manufacture of liquid thioelasts of subheading 4002 99 90 ^(*)	4 000 tonnes	0	1.1.-31.12.
09.2953	ex 8529 90 40	20	Keypad wholly of silicone or wholly of polycarbonate, including printed keys, for the manufacture of mobile radio-telephones of subheading 8525 20 91 ^(*)	20 000 000 units	0	1.1.-31.12.1999
09.2954	ex 2926 90 99	55	3-[Trifluoromethyl] phenylacetone	100 tonnes	0	1.1.-31.12.
09.2955	ex 2932 19 00	60	Fluramone (ISO)	200 tonnes	0	1.1.-31.12.
09.2956	ex 3818 00 10	60	High temperature hydrogen-treated (so-called 'hydrogen annealed') doped silicon wafer, with a diameter of 150 mm (\pm 0,5 mm), for the manufacture of products falling within heading No 8542 ^(*)	220 000 units	0	1.1.-31.12.1999

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Order No	CN code	TARIC code	Description	Amount of quota	Quota duty (%)	Quota period
09.2957	ex 8507 90 98	10	Stamped cylindrical can, in non-alloy steel, post-nickel-plated, for an accumulator, of a diameter of 13 mm or more but not exceeding 17 mm, and of a height of 27 mm or more but not exceeding 70 mm	70 000 000 units	0	1.1.-31.12.
09.2959	ex 4804 41 91 ex 4804 41 99 ex 4804 51 90	10 10 10	Kraft paper and paperboard, weighing more than 150 g/m ² , only consisting of unbleached virgin fibres obtained by the chemical sulphate process, for the manufacture of products falling within heading 3921 (*)	► MI0 60 000 ◀ tonnes	0	1.1.-31.12.
09.2963	ex 8533 21 00	31	Fixed thick film resistor, with a resistance of 10 ohm or more but not exceeding 2,2 Mohm, a dissipation rate not exceeding 0,063 W, contained in a housing of the SMD (Surface mounted device) type the exterior dimensions of which do not exceed 0,4 * 0,55 * 1,1 mm	1 000 000 000 units		1.1.-31.12.1999
09.2964	ex 5502 00 80	20	Filament tow of cellulose produced by organic solvent spinning (Lyocell), for use in the paper industry (*)	1 200 tonnes	0	1.1.-31.12.
09.2966	ex 2839 19 00	20	Crystalline disodium disilicate, containing by weight: — 59 % or more of silicon-dioxide and — 30 % or more of disodium oxide	► MI0 12 000 ◀ tonnes	0	1.1.-31.12.
09.2967	ex 8518 29 20 ex 8518 29 80	20 30	Loudspeaker, having a diameter of less than 23 mm, for use in the manufacture of products falling within subheading 8525 20 91 (*)	3 000 000 units	0	1.1.-30.6.1999
09.2969	ex 3920 91 00	93	Film of polyethylene terephthalate metallised on one or both sides, and having the following characteristics: — a visible light transmission of not less than 50 %, — not coated with an adhesive or any other non-plastic material, — covered on both sides with a layer of polyvinyl butyral, — a total thickness not exceeding 0,2 mm without taking into account any presence of layers of polyvinyl butyral, for use in the manufacture of heat-reflecting laminated glass (*)	52 500 m ²	0	1.1.-30.6.1999

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Order No	CN code	TARIC code	Description	Amount of quota	Quota duty (%)	Quota period
09.2971	ex 3818 00 10	45	Doped silicon wafers having a diameter of 300 mm (\pm 0,25 mm), for use in the manufacture of products falling within heading No 8542 ^(*)	30 000 units	0	1.1.-31.12.1999
09.2974	ex 2915 40 00	20	Isopropyl chloroacetate	350 tonnes	0	1.1.-31.12.
09.2975	ex 2918 30 00	10	Benzophenone-3,3',4,4'-tetracarboxylic dianhydride	500 tonnes	0	1.1.-31.12.

^(*) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

^(*) However, the tariff quota is not allowed where processing is carried out by retail or catering undertakings.

⁽¹⁾ The specific additional duty is applicable.

ANNEX II

Order No	CN code	Taric code	Description	Amount of quota	Quota duty (%)	Quota period
09.2711	7202 41 10 7202 41 91 7202 41 99	—	Ferro-chromium — containing by weight more than 4 % of carbon	770 000 tonnes	0	1. 1 - 31. 12. 1996
09.2859	ex 2909 49 90	10	2,2″-Isopropylidene-bis (p-phenyleneoxy) diethanol solid form	1 300 tonnes	0	1. 1 - 31. 12. 1996
09.2939	8543 89 90	59	Voltage controlled oscillator (VCO), excluding temperature compensating oscillator, consisting of active and passive elements mounted on a printed circuit contained in a housing bearing: — an identification marking consisting of or including one of the following combinations of figures and letters: 1012TDK, 1019TDK, EK304, MQC403, MQC404, MQE001, MQE041, MQE042, MQE051, MQE201, MQE411, MQE501, URAE8X956A, URAB8, URAE8X960A, VD2S40, VD2S41, VD5S07 — or other identification markings relating to devices complying with the abovementioned description	6 870 000 units	0	1. 7 - 31. 12. 1996