



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 6.12.2004
COM(2004) 780 final

Proposal for a

COUNCIL REGULATION

**amending Regulation (EC) No 2505/96 opening and providing for the administration
of autonomous Community tariff quotas for certain agricultural and industrial products**

(presented by the Commission)

EXPLANATORY MEMORANDUM

In response to requests from a number of Member States the Commission has discussed with the national experts concerned the advisability of opening, closing or extending autonomous tariff quotas for certain industrial products.

The upshot of this discussion, which took place at a meeting of the Economic Tariff Questions Group, was that the Member States could endorse opening, closing or extending quotas for the products covered by this proposal for a Regulation, which would not disturb the markets for those products.

This is the purpose of the attached proposal for a Regulation.

Proposal for a

COUNCIL REGULATION

amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 26 thereof,

Having regard to the proposal from the Commission¹,

Whereas:

- (1) On 20 December 1996 the Council adopted Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products.² Community demand for the products in question should be met under the most favourable conditions. New Community tariff quotas should therefore be opened at reduced or zero rates of duty for appropriate volumes and certain existing tariff quotas should be extended, while avoiding any disturbance to the markets for these products.
- (2) Since the quota amount for certain Community tariff quotas is insufficient to meet the needs of Community industry for the current quota period, these tariff quotas should be increased with effect from 1 January 2005.
- (3) It is no longer in the Community interest to continue to grant Community tariff quotas in 2005 for products on which duties were suspended in 2004. These products should therefore be removed from the table in Annex I to Regulation (EC) No 2505/96.
- (4) In view of the many changes to be made, the full text of Annex I to Regulation (EC) No 2505/96 should be replaced in the interests of clarity.
- (5) Regulation (EC) No 2505/96 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 2505/96 is replaced by the Annex hereto.

¹ OJ C. of., P.

² OJ L 345, 31.12.1996, p. 1. Regulation last amended by Regulation (EC) 1329/2004 (OJ L 247, 21.7.2004).

Article 2

For the quota period from 1 January to 30 June 2005, in Annex I to Regulation (EC) No 2505/96:

- the validity of tariff quota 09.2021 shall expire on 30 June 2005; its volume shall remain unaltered,
- the quota amount of tariff quota 09.2613 is fixed at 400 tonnes at a 0% rate of duty.

Article 3

For the quota period from 1 January to 31 December 2005, in Annex I to Regulation (EC) No 2505/96:

- the quota amount of tariff quota 09.2023 is fixed at 700 000 units,
- the quota amount of tariff quota 09.2603 is fixed at 3 400 tonnes,
- the quota amount of tariff quota 09.2612 is fixed at 500 tonnes at a 0% rate of duties,
- the quota amount of tariff quota 09.2619 is fixed at 80 tonnes,
- the quota amount of tariff quota 09.2620 is fixed at 500 000 units,
- the quota amount of tariff quota 09.2621 is fixed at 1 500 tonnes and its period of validity shall expire on 31 December 2005,
- the quota amount of tariff quota 09.2985 is fixed at 300 000 units and its period of validity shall expire on 31 December 2005.

Article 4

The tariff quotas 09.2605, 09.2606, 09.2607, 09.2609, 09.2614, 09.2918, 09.2957, 09.2966, 09.2993 and 09.2999 shall be closed from 31 December 2004.

Article 5

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

It shall apply from 1 January 2005.

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

Done at Brussels,

*For the Council
The President*

ANNEX I

Serial number	CN code	Taric sub-division	Description	Amount of quota	Quota duty (%)	Quota period
09.2021	ex 7011 20 00	45	Glass face-plate with a diagonal measurement of 72 cm (± 0.2 cm) from the outer edge to the outer edge and having a light transmission of 56.8% ($\pm 3\%$) by a glass thickness of 10.16 mm.	70 000 units	0	1.1. – 30.06.2005
09.2022	ex 8504 90 11	20	Ferrite cores for the production of deflection yokes (a)	2 400 000 units	0	1.7.2004 – 30.6.2005
09.2023	ex 8540 91 00	34	Flat masks, with a length of 597.1 mm (± 0.2 mm) and a height of 356.2 mm (± 0.2 mm), fitted with slots of a width of 179.1 μm (± 9 μm) at the end of the central vertical axis	700 000 units	0	1.1. – 31.12.2005
09.2602	ex 2921 51 19	10	o-phenylenediamine	1 800 tonnes	0	1.1. – 31.12.
09.2603	ex 2931 00 95	15	Bis(3-triethoxysilylpropyl) tetrasulfide	3 400 tonnes	0	1.1. – 31.12
09.2604	ex 3905 30 00	10	Poly(vinyl alcohol) partially acetalized with 5-(4-azido-2-sulfobenzylidene)-3-(formylpropyl)-rhodanine, sodium salt	100 tonnes	0	1.1. – 31.12.
09.2610	ex 2925 20 00	20	(Chloromethylene)dimethylammonium chloride	100 tonnes	0	1.1. – 31.12.
09.2611	ex 2826 19 00	10	Calcium fluoride having a total content of aluminium, magnesium and sodium of 0.25 mg/kg or less, in the form of powder	55 tonnes	0	1.1. – 31.12.
09.2612	ex 2921 59 90	30	3,3'-dichlorobenzidine dihydrochloride	500 tonnes	0	1.1. – 31.12.
09.2613	ex 2932 99 70	40	1,3:2,4-Bis-O-(3,4-dimethylbenzylidene)-D-glucitol	400 tonnes	0	1.1. – 30.6.2005
09.2615	ex 2934 99 90	70	Ribonucleic acid	110 tonnes	0	1.1. – 31.12.
09.2616	ex 3910 00 00	30	Polydimethylsiloxane with a degree of polymerisation of 2800 monomer units (± 100)	1 300 tonnes	0	1.1. – 31.12.
09.2618	ex 2918 19 80	40	(R)-2-Chloromandelic acid	100 tonnes	0	1.1. – 31.12.
09.2619	ex 2934 99 90	71	2-Thienylacetonitrile	80 tonnes	0	1.1. – 31.12.
09.2620	ex 8526 91 90	10	Assembly for GPS system having a position determination function	500 000 units	0	1.1. – 31.12.
09.2621	ex 3812 30 80	50	Aluminium magnesium zinc hydroxide carbonate hydrate, coated with a surface-active agent	1 500 tonnes	0	1.1. – 31.12.2005
09.2622	ex 1108 12 00	10	Maize starch containing at least 40% but not more than 60% by weight of insoluble dietary fibre	600 tonnes	0	1.1 – 31.12.2005

Serial number	CN code	Taric sub-division	Description	Amount of quota	Quota duty (%)	Quota period
09.2623	ex 2710 19 61 ex 2710 19 63	10 10	Fuel oils with a sulphur content not exceeding 0.2% by weight, for use in fuel for sea-going vessels (a)	80 000 tonnes	0	1.1 – 31.12.
09.2624	2912 42 00		Ethylvanillin (3-ethoxy-4-hydroxybenzaldehyde)	352 tonnes	0	1.1. – 31.12.
09.2625	ex 3920 20 21	20	Film of polymers of polypropylene, biaxially oriented, of a thickness of 3.5 µm or more but not exceeding 15 µm, of a width of 490 mm or more but not exceeding 620 mm, for the production of film capacitors (a)	170 tonnes	0	1.1 – 31.12.
09.2626	ex 4205 00 00	10	Pieces of embossed grain bovine leather, dyed grey-blue or beige and cut to shape, for use in products of subheading 9401 20 00 (a)	400 000 units	0	1.1 – 31.12.
09.2627	ex 7011 20 00	55	Glass face-plate with a diagonal measurement of 814.8 mm (±1.5 mm) from the outer edge to the outer edge and having a light transmission of 51.1% (±2.2%) by a glass thickness of 12.5 mm	500 000 units	0	1.1. – 31.12.
09.2628	ex 7019 52 00	10	Glass web woven from glass fibre coated in plastic, of a weight of 120 g/m ² (±10 g/m ²), normally used in rolling insect screens with fixed frames	350 000 m ²	0	1.1. - 31.12
09.2629	ex 7616 99 90	85	Aluminium telescopic handle for use in the manufacture of luggage (a)	240 000 units	0	1.1. -31.12
09.2703	ex 2825 30 00	10	Vanadium oxides and hydroxides exclusively for use in alloys (a)	13 000 tonnes	0	1.1. - 31.12.
09.2713	ex 2008 60 19 ex 2008 60 39	10 10	Sweet cherries, preserved in alcohol, of a diameter not exceeding 19.9 mm, stoned, for use in chocolate products (a): - with a sugar content exceeding 9% by weight - with a sugar content not exceeding 9% by weight	2 000 tonnes	10 (1) 10	1.1. - 31.12.
09.2719	ex 2008 60 19 ex 2008 60 39	20 20	Sour cherries (Prunus cerasus), preserved in alcohol, of a diameter not exceeding 19.9 mm, for use in chocolate products (a): - with a sugar content exceeding 9% by weight - with a sugar content not exceeding 9% by weight	2 000 tonnes	10 (1) 10	1.1. - 31.12.
09.2727	ex 3902 90 90	93	Synthetic poly-alpha-olefin having a viscosity of at least 38 x 10 ⁻⁶ m ² s ⁻¹ (38 centistokes) at 100° C measured using the ASTM D 445 method	10 000 tonnes	0	1.1. - 31.12.

Serial number	CN code	Taric sub-division	Description	Amount of quota	Quota duty (%)	Quota period
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% of chromium	50 000 tonnes	0	1.1. - 31.12.
09.2809	ex 3802 90 00	10	Acid activated montmorillonite, for the manufacture of <i>self-copy</i> paper (a)	10.000 tonnes	0	1.1. - 31.12.
09.2829	ex 3824 90 99	19	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 100° C or more	1 600 tonnes	0	1.1. - 31.12.
09.2837	ex 2903 49 80	10	Bromochloromethane	450 tonnes	0	1.1. - 31.12.
09.2841	ex 2712 90 99	10	Blend of 1-alkenes containing by weight 80% or more of 1-alkenes of a chain-length of 20 and 22 carbon atoms	10 000 tonnes	0	1.1. - 31.12.
09.2849	ex 0710 80 69	10	Mushrooms of the species <i>Auricularia polytricha</i> , uncooked or steamed or boiled, frozen, for the manufacture of prepared meals (a)(b)	700 tonnes	0	1.1. - 31.12.
09.2851	ex 2907 12 00	10	O-Cresol having a purity of not less than 98.5% by weight	20 000 tonnes	0	1.1. - 31.12.
09.2853	ex 2930 90 70	35	Glutathione	15 tonnes	0	1.1. - 31.12.
09.2881	ex 3901 90 90	92	Chlorosulphonated polyethylene	6 000 tonnes	0	1.1. - 31.12.
09.2882	ex 2908 90 00	20	2,4-Dichloro-3-ethyl-6-nitrophenol, powdered	90 tonnes	0	1.1. - 31.12.
09.2889	3805 10 90	-	Sulphate turpentine	20 000 tonnes	0	1.1. - 31.12.
09.2904	ex 8540 11 19	95	Flat screen colour cathode-ray tube with a screen width/height ratio 4/3, a diagonal measurement of the screen of 79 cm or more but not exceeding 81 cm and a curvature radius of 50 m or more	8 500 units	0	1.1. - 31.12.

Serial number	CN code	Taric sub-division	Description	Amount of quota	Quota duty (%)	Quota period
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	Unmanufactured tobacco, whether or not cut in regular size, having a custom value of not less than Euro 450 per 100 kg net weight, for use as binder or wrapper for the manufacture of goods falling within subheading 2402 10 00 (a)	6 000 tonnes	0	1.1. - 31.12.
09.2914	ex 3824 90 99	26	Aqueous solution containing not less than 40% by weight of dry betaine-extract and between 5% and 30% by weight of organic or inorganic salts	38 000 tonnes	0	1.1. - 31.12.
09.2917	ex 2930 90 13	90	Cystine	600 tonnes	0	1.1. - 31.12.
09.2919	ex 8708 29 90	10	Folding bellows for the manufacture of articulated buses (a)	2 600 units	0	1.1. - 31.12.
09.2933	ex 2903 69 90	30	1,3-Dichlorobenzole	2 600 tonnes	0	1.1. - 31.12.
09.2935	3806 10 10	-	Rosin and resin acids obtained from fresh oleoresins	120 000 tonnes	0	1.1. - 30.6.
09.2935	3806 10 10	-	Rosin and resin acids obtained from fresh oleoresins	80 000 tonnes	0	1.7. - 31.12.
09.2945	ex 2940 00 00	20	D-Xylose	400 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 (a)	1 300 tonnes	0	1.1. - 31.12.
09.2950	ex 2905 59 10	10	2-Chloroethanol, for the manufacture of liquid thioplasts of subheading 4002 99 90 (a)	8 400 tonnes	0	1.1. - 31.12.
09.2955	ex 2932 19 00	60	Flurtamone (ISO)	300 tonnes	0	1.1. - 31.12.
09.2964	ex 5502 00 80	20	Filament tow of cellulose produced by organic solvent spinning (Lyocell), for use in the paper industry (a)	1 200 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.

Serial number	CN code	Taric sub-division	Description	Amount of quota	Quota duty (%)	Quota period
09.2976	ex 8407 90 10	10	Four-stroke petrol engines of a cylinder capacity not exceeding 250 cm ³ for use in the manufacture of lawnmowers of sub-heading 8433 11 (a) or mowers with motor of subheading 8433 2010 (a)	750 000 units	0	1.7.2004 - 30.06.2005
09.2979	ex 7011 20 00	15	Glass face-plate with a diagonal measurement from the outer edge to the outer edge of 81.5 cm (\pm 0.2 cm) and having a light transmission of 80% (\pm 3%) by a reference thickness of the glass of 11.43 mm	600 000 units	0	1.1. - 31.12.
09.2981	ex 8407 33 90 ex 8407 90 80 ex 8407 90 90	10 10 10	Spark-ignition reciprocating or rotary internal combustion piston engines, having a cylinder capacity of not less than 300 cc and a power of not less than 6 but not exceeding 15.5 kW, for the manufacture of: - self-propelled lawn mowers, with a seat of sub-heading 8433 11 51 - tractors of subheading 8701 90 11, whose main function is that of a lawn mower or- four stroke mowers with motor of a cylinder capacity of not less than 300 cc of subheading 8433 20 10 (a)	210 000 units	0	1.1. - 31.12.
09.2985	ex 8540 91 00	33	Flat masks of a length of 685.6 mm (\pm 0.2 mm) or 687.2 mm (\pm 0.2 mm) and a height of 406.9 mm (\pm 0.2 mm) or 408.9 mm (\pm 0.2 mm), with slots at the end of the central vertical axis of a width of 174 micrometer (\pm 8 micrometer)	300 000 units	0	1.1. - 31.12.2005
09.2986	ex 3824 90 99	76	Mixture of tertiary amines containing: - 60% by weight of dodecyldimethylamine, or more - 20% by weight of dimethyl(tetradecyl)amine, or more - 0.5% by weight of hexadecyldimethylamine, or more, for use in the production of amine oxides (a)	14 000 tonnes	0	1.1. - 31.12.
09.2992	ex 3902 30 00	93	Propylene-butylene copolymer, containing by weight not less than 60% but not more than 68% of propylene and not less than 32% but not more than 40% of butylene, of a melt viscosity not exceeding 3.000 mPa at 190° C, as determined by the ASTM D 3236 method, for use as an adhesive in the manufacture of products falling within subheading 4818 40 (a)	1 000 tonnes	0	1.1. - 31.12.

Serial number	CN code	Taric sub-division	Description	Amount of quota	Quota duty (%)	Quota period
09.2995	ex 8536 90 85 ex 8538 90 99	95 93	Keypads, - comprising a layer of silicone and polycarbonate keytops or- wholly of silicone or wholly of polycarbonate, including printed keys, for the manufacture or repair of mobile radio-telephones of subheading 8525 20 91 (a)	20 000 000 units	0	1.1. - 31.12.
09.2998	ex 2924 29 95	80	5'-Chloro-3-hydroxy-2',4'-dimethoxy-2-naphthanilide	26 tonnes	0	1.1. - 31.12.

- (a) Checks on this prescribed end use shall be carried out pursuant to the relevant Community provisions.
- (b) However, the tariff quota is not allowed where processing is carried out by retail or catering undertakings.
- (c) The quantities of goods subject to this quota and released for free circulation as from 1 July 2004, as provided for in Regulation (EC) No 1329/2004, shall be fully counted against this quantity.
- (1) The specific additional duty is applicable.

**LEGISLATIVE FINANCIAL STATEMENT FOR PROPOSALS HAVING A
BUDGETARY IMPACT EXCLUSIVELY LIMITED TO THE REVENUE SIDE**

1. NAME OF THE PROPOSAL :

Proposition de règlement (CE) du Conseil modifiant le règlement (CE) n° 2505/96 portant ouverture et mode de gestion de contingents tarifaires communautaires autonomes pour certains produits agricoles et industriels

2. BUDGET LINES :

Chapter and Article : Chap. 12 art. 120

Amount budgeted for the year concerned : 10,749 millions

3. FINANCIAL IMPACT

Proposal has no financial implications

Proposal has no financial impact on expenditure but has a financial impact on revenue – the effect is as follows:

(€ million to one decimal place)

Budget line	Revenue ³	12 month period, starting dd/mm/aaaa	[Year n]
Article 120	<i>Impact on own resources</i>	01/01/2005	- 1,6

4. ANTI-FRAUD MEASURES

5. OTHER REMARKS

Dans l'annexe II sont présentées des gains de recettes théoriques de + 3.3 Moi EUR en raison de la clôture de plusieurs contingents non utilisés au cours des dernières années.

³ Regarding traditional own resources (agricultural duties, sugar levies, customs duties) the amounts indicated must be net amounts, i.e. gross amounts after deduction of 25 % of collection costs.

ANNEXE I

Avec effet à partir de 1.1.2005 :

Désignation des produits	Variation du volume contingentaire (unité/tonnes)	Prix estimé (€/unité - €/tonnes)	Droit normal (en %) (TDC 2004)	Droit contingentaire (en %)	Variation attendue de la perte des recettes par rapport à la période contingentaire précédente (en €)
Masques plats d'une longueur de 597,1(±0,2)mm 09.2023	+ 200.000 u (volume initial 500.000 u)	8,9	2,7	0	48.060
Bis (3-triéthoxysylilpropyl) tetrasulfide 09.2603	+ 1.400 t (volume initial 2.000 t)	400	6,5	0	36.400
3,3'-dichlorobenzidine 09.2612	+ 200 t (volume initial 300 t)	6.402	6,5	0	83.226
Glucitol 09.2613	+ 150 t (volume initial 250 t)	37.666	5,5	0	310.744,5
Assemblage pour système GPS 09.2620	+ 400.000 u (volume initial 100.000 u)	10,36	3,7	0	153.328
Amidon de maïs 09.2622	+ 300 t (volume initial: 0 t)	1.833	166 €/t	0	49.800
Fuel oils 09.2623	+ 80.000 t (volume initial: 0 t)	190	3,5	0	532.000
Éthylvanilline 09.2624	+ 352 t (volume initial: 0 t)	16.129	5,5	0	312.257
Films en polymères du polypropylène 09.2625	+ 170 t (volume initial: 0 t)	4.950	6,5	0	54.697,5

Morceaux de cuir 09.2926	+ 400.000 u (volume initial: 0 t)	26	2,5	0	260.000
Écrans de verre d'une diagonale de 814,8 (±1,5) mm 09.2627	+ 500.000 u (volume initial: 0 u)	12	4	0	240.000
Toile de verre filé 09.2628	+ 350.000 m ² (volume initial: 0 m ²)	0,96/m ²	7	0	23.520
Poignée télescopique en aluminium 09.2629	+ 240.000 u (volume initial: 0 u)	2,32	6	0	33.408

**Total des pertes de recettes par rapport à la période contingitaire précédente :
(2.137.441 – 534.360) 1.603.081 € net.**

ANNEXE II

Liste des contingents clôturés ou diminués

Avec effet à partir de 1.1.2005 :

Désignation des produits	Variation du volume contingentaire (unité/tonnes)	Prix estimé (€/unité - €/tonnes)	Droit normal (en %) (TDC 2004)	Droit contingentaire (en %)	Variation attendue des recettes par rapport à la période contingentaire précédente (en €)
Dispersion chimique 09.2605	Clôturé (volume initial - 80.000 l)	115	6,5	0	598.000
Sol de silice 09.2606	Clôturé (volume initial - 1.200 t)	1.458	6,5	0	113.724
Hydrogène fumarate 09.2607	Clôturé (volume initial - 30 kg)	60.000	6,5	0	117.000
Silice fumée 09.2609	Clôturé (volume initial - 1.000 t)	4.198	4,6	0	193.108
Écrans de verre 09.2614	Clôturé (volume initial - 200.000 u)	95	4	0	760.000
Nitrile 09.2619	Diminué - 40 t (volume initial 120 t)	53.000	6,5	0	137.800
Hydroxycarbonate d'aluminium 09.2621	Diminué - 300 t (volume initial 1.800 t)	2.777	6,5	0	54.151
1,2-Epoxybutane 09.2918	Clôturé (volume initial - 500 t)	15.000	5,5	0	412.500
Godet cylindrique 09.2957	Clôturé (volume initial - 70.000.000 u)	0,05	3,3	0	115.500

Disilicate de disodium 09.2966	Clôturé (volume initial - 2.000 t)	650	5	0	65.000
Masque plat d'une longueur de 685,6 mm 09.2985	Diminué - 100.000 u (volume initial 400.000 u)	17,5	2,7	0	47.250
Pellicules de polyethylene 09.2993	Clôturé (volume initial - 120.000.000 m ²)	0,07	8,3	0	697.200
Écrans de verre 09.2999	Clôturé (volume initial - 600.000 u)	49	4	0	1.176.000

Total théorique des recettes en raison de la clôture ou de la diminution des contingents par rapport à la période contingentaie précédente: (4.487.233 – 1.121.808) 3.365.425 € net.

DISPOSITIONS ANTI-FRAUDE PRÉVUES

Des dispositions concernant la gestion des contingents tarifaires prévoient les mesures nécessaires de prévention et de protection contre les fraudes et irrégularités.