



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10.06.1999
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Proposal for a

COUNCIL REGULATION (EC)

**amending Regulation (EC) No 1255/96 temporarily suspending the autonomous
Common Customs Tariff duties on certain industrial and agricultural products**

(presented by the Commission)

EXPLANATORY MEMORANDUM

During the first quarter of this year, the Commission, assisted by the Economic Tariff Questions Group, has reviewed requests for temporary suspension of autonomous Common Customs Tariff duties presented to it by the Member States, including certain requests amending existing suspensions.

The attached proposal concerns certain industrial products.

The suspension requests relating to these products were examined in the light of the criteria set out in the communication from the Commission to the Council and the Member States concerning autonomous tariff suspensions and quotas (OJ C 128, 25.4.1998, p. 2).

Following this review, the Commission considers that the suspension or reduction of duties is justified for the products listed in Annex I to the attached proposal for a Regulation.

For the products listed in Annex II, on the other hand, it believes suspension is no longer in the Community's economic interests.

The two Annexes to this Regulation thus correspond respectively, to the list of products for which suspension is proposed, or for which the wording (including the nomenclature code) has to be changed, and the list of products removed from the Annex to Regulation (EC) No 1255/96.

Amendments to the description of certain products listed in the Annex to Regulation (EC) No 1255/96, where they have become necessary, have been taken into account as follows:

- addition of the nomenclature code for the product (listed in the Annex to Regulation (EC) No 1255/96) in Annex II,
- addition of the new amended product description in Annex I.

The period of validity of the proposed measure is unspecified, since its purpose is to amend the Annex to Council Regulation (EC) No 1255/96, the period of validity of which is itself unspecified.

Proposal for a

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amending Regulation (EC) No 1255/96 temporarily suspending the autonomous Common Customs Tariff duties on certain industrial and agricultural 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 Commission,

- (1) Whereas it is in the interest of the Community to suspend partially or totally the autonomous Common Customs Tariff duties for a number of new products not listed in the Annex to Council Regulation (EC) No 1255/96¹, as last amended by Regulation (EC) No 2797/98²;
- (2) Whereas the products referred to in Regulation (EC) No 1255/96, for which it is no longer in the Community's interest to maintain suspension of autonomous Common Customs Tariff duties or for which it is necessary to amend the description in the light of technical developments, must be withdrawn from the list in the Annex thereto;
- (3) Whereas, for the sake of clarity, products whose description require amendment should be regarded as new products,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1255/96 is amended as follows:

- (1) The products set out in Annex I to this Regulation are inserted.
- (2) The products for which the codes are set out in Annex II to this Regulation are deleted.

¹ OJ L 158, 29.6.1996, p. 1.

² OJ L 352, 29.12.1998, p. 1.

Article 2

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

It shall apply with effect from 1 July 1999.

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

Done at Brussels,

For the Council
The President

ANNEX I

CN code & TARIC	Description	Rate of autonomous duty (%)
0029 ex2903 30 80 40	1,1-Difluoroethane	0
0035 ex2903 69 90 50	1-(Chloromethyl)naphthalene	0
0060 ex2907 29 00 50	6,6',6''-Tricyclohexyl-4,4',4''-butane-1,1,3-triyltri(<i>m</i> -cresol)	0
0064 ex2909 30 90 20	1,2-Bis(<i>m</i> -tolylloxy)ethane	0
0065 ex2909 30 90 30	1,2-Diphenoxyethane	0
0091 ex2916 12 90 30	Isobutyl acrylate	0
0145 ex2922 21 00 30	6-Amino-4-hydroxynaphthalene-2-sulfonic acid	0
0146 ex2922 21 00 40	7-Amino-4-hydroxynaphthalene-2-sulfonic acid	0
0163 ex2924 21 90 10 ex3824 90 95 62	4,4'-Dihydroxy-7,7'-ureylenedi(naphthalene-2-sulphonic acid) and its sodium salts	0
0164 ex2924 29 90 45	7-Acetamido-4-hydroxynaphthalene-2-sulfonic acid and its sodium salts	0
0196 ex2930 90 70 60	Methyl phenyl sulfide	0
0208a ex2931 00 95 65	Triethylborane	0
0241 ex2933 39 95 35	3,5-Dimethylpiperidine	0
0251 ex2933 59 70 20	2,4-Diamino-6-chloropyrimidine	0
0281 ex2934 90 96 55	Naphth[1,2- <i>d</i>][1,2,3]oxadiazole-5-sulfonic acid	0
0305 ex3208 20 10 30	Solution of diundecyl phthalate and a copolymer of dibutyl maleate and isobutyl methacrylate in a hydrocarbon solvent	0
0347 ex3815 19 90 45	Catalyst, consisting predominantly of dichromium copper tetraoxide and copper (II) oxide, containing by weight 38% or more but not more than 48% of copper, evaluated as copper (II) oxide, fixed on a support of silicon dioxide, for the hydrogenation of acetophenones (a)	0
0361 ex3815 90 90 75	Catalyst, consisting of a mixture of 1,4-diazabicyclo[2.2.2]octane, 2-hydroxyethyliminodi(acetic acid) and dibutyltin di(acetate), containing by weight 5% or more but not more than 10% of 1,4-diazabicyclo[2.2.2]octane	0
0362 ex3815 90 90 81	Catalyst, containing by weight 38% or more but not more than 48% of (2-hydroxy-1-methylethyl)trimethylammonium 2-ethylhexanoate	0

CN code & TARIC		Description	Rate of autonomous duty (%)
0363	ex3815 90 90 82	Catalyst, containing by weight 35% or more but not more than 55% of (2-hydroxy-1-methylethyl)trimethylammonium formate and formic acid	0
0364	ex3815 90 90 83	Catalyst, in the form of powder, containing aluminium magnesium hydroxide hydrate, rare-earth metals oxides and divanadium pentaoxide	0
0378	ex3815 90 90 85	Catalyst based on aluminosilicate (zeolite), for the transalkylation of alkylaromatic hydrocarbons or the oligomerization of olefins (a)	0
0208b	ex3824 90 95 63	Triethylborane, in the form of a solution in tetrahydrofuran	0
0390	ex3824 90 95 64	Aluminium sodium silicate, in the form of spheres of a diameter of: <ul style="list-style-type: none"> - either 1,6 mm or more but not exceeding 3,4 mm, - or 4 mm or more but not exceeding 6 mm 	0
0391	ex3824 90 95 65	Mixture of tris(alkoxycarbonylamino)-1,3,5-triazines in which alkoxy groups are methoxy and butoxy	0
0393	ex3824 90 95 66	Mixture of <i>tert</i> -alkyl primary amines	0
0394bi	ex3824 90 95 67	Preparation consisting of indium tin oxide dispersed in organic solvents, for use as a conductive coating on the outer surface of data or graphic display tubes (a)	0
0465	ex3904 30 00 10	Copolymer of vinyl chloride with vinyl acetate and maleic acid, containing by weight: <ul style="list-style-type: none"> - 81,5% or more but not more than 84,5% of vinyl chloride, - 13,8% or more but not more than 16,2% of vinyl acetate and - 0,8% or more but not more than 1,2% of maleic acid, for the manufacture of goods of heading No 3215 or for use in the manufacture of coatings for containers and closures of a kind used for preserving food and drink (a)	0
0483	3906 90 60	Copolymer of methyl acrylate with ethylene and a monomer containing a non-terminal carboxy group as a substituent, containing by weight 50% or more of methyl acrylate, whether or not mixed with silicon dioxide	0
0484	ex3906 90 90 50	Acrylic polymers, containing by weight 2,5% or more of chloroethyl vinyl ether or chloromethyl acrylate, in one of the forms mentioned in note 6 (b) to Chapter 39	0
0392	ex3911 90 19 20	Hydrocarbon prepolymer, obtained by the reaction of cyclopentadiene and 1,3-pentadiene	0
0519	ex3915 90 93 30	Waste, parings and scrap of photographic, cinematographic and radiographic films	0
0527	ex3919 90 69 94	Reflecting laminated sheet, consisting of a film of polymethyl methacrylate embossed on one side in a regular pyramidal or other shaped pattern, a film of polymethyl methacrylate containing glass microprisms or microspheres, an adhesive layer and a release sheet	0

CN code & TARIC		Description	Rate of autonomous duty (%)
0534	ex3920 30 00 20	Laminated sheet or strip, consisting of a film composed of a blend of a thermoplastic elastomer (TPE) of styrene-butadiene-styrene (SBS) with polyethylene or polypropylene, of a thickness of 100 µm or more but not exceeding 200 µm, coated or covered on both sides with a film of polypropylene of a thickness not exceeding 20 µm	0
0538	ex3920 51 00 20	Plate of polymethyl methacrylate containing aluminium trihydroxide ² , of a thickness of 3,5 mm or more but not exceeding 19 mm	0
0542	ex3920 62 19 81	Film of white polyethylene terephthalate, dyed in the mass, of a thickness of 185 µm or more but not exceeding 253 µm, coated on both sides with an antistatic layer	0
0557	ex3920 62 19 85	Film of a total thickness of 4,5 µm (± 0,16 µm), consisting of a biaxially-oriented polyethylene terephthalate film, of a thickness of 4,4 µm, an elastic modulus (in the machine direction) of 12 kg/mm ² (± 2 kg/mm ²) and a tensile strength (in the machine direction) of more than 28 kg/mm ² , and of an anti-adherent coating of a thickness of 0,1 µm	0
0560	ex3920 62 90 30	Film of polyethylene terephthalate, of a thickness of 500 µm (± 25 µm)	0
0566bi	ex3920 91 00 93	Film of polyethylene terephthalate, metallised on one or both sides, or laminated film of polyethylene terephthalate films, metallised on the external sides only, and having the following characteristics: <ul style="list-style-type: none"> – a visible light transmission of 50% or more, – coated on both sides with a layer of polyvinyl butyral but not coated with an adhesive or any other material except polyvinyl butyral, – a total thickness not exceeding 0,2 mm without taking the presence of polyvinyl butyral into account, for use in the manufacture of heat-reflecting laminated glass (a)	0
0569	ex3920 99 59 55	Ion-exchange membranes of fluorinated plastic material, other than those of subheading 3920 99 53	0
0582	ex3926 90 99 20	Tape pad, for use in the manufacture of goods of heading No 8523 (a)	0
0583	ex3926 90 99 30	Guide pin and pole, for use in the manufacture of goods of subheadings 8523 11 00, 8523 12 00 and 8523 13 00 (a)	0
0591	ex4802 51 90 10 ex4802 52 20 10 ex4802 52 80 10	Overlay paper, of a width of more than 110 cm and containing by weight more than 5% of corundum	0
0637	ex5607 50 90 10	Twine, unsterilised, wholly of polyglycollic acid, plaited or braided, with an inner core, for the manufacture of surgical sutures (a)	0
0640	ex5907 00 90 10	Textile fabrics, coated with adhesive in which are embedded spheres of a diameter not exceeding 75 µm	0

CN code & TARIC		Description	Rate of autonomous duty (%)
0669	ex7212 50 99 10	Cold-rolled steel, coated on both sides with a nickel-zinc layer, in the form of strip of a width of 40,15 (\pm 0,08) mm and a thickness of 0,3 (\pm 0,01) mm, containing by weight: <ul style="list-style-type: none"> - not more than 0,1% of carbon, - not more than 0,04% of phosphorus, - not more than 0,05% of sulphur, and - 0,2% or more but not more than 0,5% of manganese 	0
0010a	ex8424 89 95 30 ex8479 89 98 50	Machines and apparatus for the application of adhesives, soldering pastes or epoxy dots on printed circuit boards	0
0010b	ex8443 59 70 10	Screen printing machinery for the manufacture of goods of heading No 8534 (a)	0
0018	ex8479 89 98 60	Machines and apparatus for the placement or removal of active/passive components or connecting elements on/from printed circuit boards	0
0065	ex8520 90 90 20	Drive-unit capable of magneto-optical signal recording and optical signal reproducing, comprising at least an optical unit, DC motors and a printed circuit on which are mounted integrated circuits providing drive and signal processing functions for reading optical discs having an external diameter not exceeding 70 mm, not comprising circuits with amplification functions or power supply drive functions	0
0126	ex8533 40 10 31	Package of potentiometers (so-called focus block), with a supply voltage of 9,3 kV or more but not exceeding 28 kV, contained in a housing with connectors	0
0140	ex8536 50 19 92	Hydraulic pressure switch, incorporating a pressure sensitive snap action disc, operating at a supply voltage of 6 V or more but not exceeding 18 V	0
0148	ex8536 90 85 94	Elastomeric connector, consisting of one or more conductor elements and of a rubber or silicon substrate	0
0156	ex8540 11 70 32	Colour cathode-ray tube with a diagonal measurement of the screen of 85,5 cm or more	0
0190	ex8543 89 95 57	Frequency converter, not comprising a dipole aerial, for the conversion of frequencies of 10,7 GHz or more but not exceeding 12,75 GHz to frequencies of 950 MHz or more but not exceeding 3 GHz and operating at a supply voltage of 11 V or more but not exceeding 20 V	0
0226	ex9022 30 00 10	X-ray tube with a target voltage of 4 kV or more but not exceeding 30 kV, a power not exceeding 9 W and a target current not exceeding 2 mA	0
0228	ex9026 90 90 10	Ceramic pressure sensitive module, containing passive components and a printed circuit, for use in the manufacture of pressure measurement devices for automobiles (a)	0
0237	ex9110 12 00 91	Assembly consisting of a printed circuit on which are mounted one quartz oscillator, at least one watch circuit and, whether or not integrated, at least one capacitor, of a thickness not exceeding 5 mm	0

	CN code & TARIC	Description	Rate of autonomous duty (%)
0238	ex9110 90 00 92 ex9114 90 00 91	Assembly consisting of a printed circuit on which is mounted a watch circuit or a watch circuit and a quartz oscillator, of a thickness not exceeding 5 mm	0

**ANEXO II - BILAG II - ANHANG II - ΠΑΡΑΡΤΗΜΑ II - ANNEX II -
ANNEXE II - ALLEGATO II - BIJLAGE II - ANEXO II - LIITE II -
BILAGA II**

	Código NC	
	KN-kode	
	KN-Code	
	Κωδικός ΣΟ	
	CN code	
	Code NC	Taric
	Codice NC	
	GN-code	
	Código NC	
	CN-koodi	
	KN-nummer	
ex	2825 10 00	10
ex	2905 39 80	20
ex	3815 90 90	85
ex	3920 30 00	20
ex	3920 62 19	85
ex	4802 52 20	10
ex	4802 52 80	10
ex	5402 39 10	10
ex	5907 00 90	10
ex	8536 50 80	94
ex	8536 90 85	94
ex	8543 89 95	57
ex	9110 12 00	91
ex	9110 90 00	92
ex	9114 90 00	91

FINANCIAL STATEMENT

1. TITLE OF OPERATION

Proposal for a Council Regulation (EC) amending the Annex to Regulation (EC) No 1255/96 temporarily suspending the autonomous Common Customs Tariff duties on certain industrial and agricultural products.

2. BUDGET HEADING INVOLVED

Chapter 12, Article 120.

3. LEGAL BASIS

Article 26 of the EC Treaty.

4. DESCRIPTION OF OPERATION

Suspension of the CCT duties for the above products.

5. FINANCIAL IMPACT

In order to reduce the economic problems arising from the period of validity of previous Regulations, Council Regulation (EC) No 1255/96, now in force, does not have an expiry date.

This proposal contains only the amendments which must be made to the annex to the existing Regulation in order to take account of the following:

1. new requests for suspension which have been presented and accepted;
2. technical product developments, economic trends on the market, resulting in the lifting of certain existing suspensions;
3. amendments to Nomenclature codes.

Obviously only the amendments described in 1 and 2 have a financial impact.

Addition:

This Annex, in addition to the amendments resulting from changes to CN codes, contains 50 new products. The uncollected duties corresponding to these suspensions, calculated on the basis of expected imports into the requesting Member State for 1999, total EUR 10 million.

On the basis of the existing statistics for the preceding years, it would appear, however, that this amount must be increased by an average factor, estimated at 1.8, to take account of imports into other Member States using the same suspensions. This means a loss of revenue of some EUR 18 million.

Withdrawal:

Four products have been withdrawn from this Annex reflecting the reintroduction of customs duties. This represents an increase of EUR 1.3 million in resources, as calculated from requests for suspension or available statistics (1996).

Result:

For the coming year, in the light of the approximate calculations and taking available statistics (1996) as a basis, the impact on the loss of revenue resulting from this Regulation may therefore be estimated at $18 - 1.3 = \text{EUR } 16.7$ million, then an increase of loss of revenue, with a total estimated loss of $\text{EUR } 612.6 \text{ million} + \text{EUR } 16.7 \text{ million} = \text{EUR } 629.3 \text{ million}$ for 1999 which corresponds to the suspensions granted under the amended Regulation.

The shortfall in traditional own resources will have to be made up by the Member States by topping up the GNP component.

6. FRAUD PREVENTION MEASURES

Checks on the end-use of some of the products covered by this Council Regulation will be carried out in accordance with Articles 291 to 304 of Commission Regulation (EEC) No 2454/93 laying down provisions for the implementation of the Community Customs Code.