

COMMISSION DECISION**of 1 July 1976****derogating from High Authority Recommendation 1/64 concerning an increase
in the protective duty on iron and steel products at the external frontiers of the
Community****(Seventy-ninth derogation)****(76/611/ECSC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Coal and Steel Community, and in particular Articles
2 to 5, 8, 71 and 74 thereof,

Having regard to High Authority Recommendation
1/64 of 15 January 1964 to the Governments of the
Member States concerning an increase in the protec-
tive duty on iron and steel products at the external
frontiers of the Community⁽¹⁾, and in particular
Article 3 thereof,

Having regard to the agreement reached on 17 June
1976 by the representatives of the Member States
meeting within the Council on tariff measures to be
taken for the second six months of 1976,

Whereas, for years past, the representatives of the
Governments of the Member States meeting within
the Council have unanimously agreed on six-monthly
derogations from the harmonized Community
customs duties for steel; whereas these derogations
take the form either of a reduction or temporary
suspension of certain customs duties or of the
granting of tariff quotas at reduced or suspended rates
of duty; whereas the last tariff measures of this kind
were taken by representatives of the Governments of
the Member States on 17 June 1976 in respect of the
second six months of 1976;

Whereas such measures are justified by the fact that
the products in question are not manufactured, or are
manufactured in insufficient quantities, in the
Community and that their importation on preferential
terms is not injurious to iron and steel undertakings
in the Community which produce directly competing
products;

Whereas these reasons and circumstances, on which
the six-monthly tariff measures taken by the Member
States are based, also allow, given present conditions
on the common market in steel, of their application
within the framework of Recommendation 1/64 of 15
January 1964; whereas neither this suspension of
duties nor these tariff quotas are likely to jeopardize
the objectives of the said recommendation and
whereas, furthermore, such tariff measures help to
maintain existing trade flows between the Member
States and third countries;

Whereas these are special cases in the commercial
policy field justifying the authorization of derogations
pursuant to Article 3 of Recommendation 1/64;

Whereas provision should be made to ensure that the
quotas granted will be used solely to supply the needs
of industries in the importing countries and that re-ex-
portation in the unaltered state to other Member
States of imported iron and steel products will be
prevented;

Whereas the Governments of the Member States have
been consulted on the tariff quotas set out below,

HAS ADOPTED THIS DECISION:

Article 1

The Governments of the Member States are hereby
authorized to derogate from the obligations arising
under Article 1 of High Authority Recommendation
1/64 of 15 January 1964 to the extent necessary to
suspend, in respect of imports from third countries of
the iron and steel products set out below, duties or
tariff quotas in respect of the quantities and at the
levels hereinbelow indicated:

⁽¹⁾ OJ No 8, 22. 1. 1964, p. 99/64.

CCT heading No	Description of goods	Member States	Quota (metric tons)	Duty %
ex 73.15 A V b) 1	Special wire rod (wire rod of high carbon steel, not further worked than hot-rolled, between 4.5 and 6 mm in diameter and of a carbon content in weight of between 0.62 and 0.74 %) for the tyre industry	Germany (FR) Benelux France Italy Ireland	1 400 9 000 4 000 6 500 3 000	0 0 0 0 0
ex 73.15 A V b) 1	Special wire rod (wire rod of high carbon steel, not further worked than hot-rolled between 4.5 and 6 mm in diameter and of a carbon content in weight of between 0.62 and 0.85 %) for the tyre industry	Benelux	1 800	0
ex 73.15 A V b) 1	Special wire rod (of high carbon steel, not further worked than hot-rolled, between 4.5 and 13 mm in diameter) for the manufacture of springs and 'piano wire' containing in weight — 0.60 to 1.05 % of carbon — not more than 0.05 % of sulphur and phosphorus taken together — 0.15 to 0.30 silicon — not more than 0.10 % of all other elements (with the exception of manganese and chromium) taken together (Germany and Benelux are authorized to import — within their quotas — special wire rod of alloy steels, between 4.5 and 13 mm in diameter, for valve springs, with the following characteristics : (a) Chrome-vanadium products : 0.40 — 0.65 % C ; 0.15 — 0.30 % Si ; 0.60 — 0.90 % Mn ; 0.15 — 1.10 % Cr ; 0.15 — 0.30 % Va ; not more than 0.30 % Mo P and S content of less than 0.035 % each ; (b) Chrome-silicon products : 0.50 — 0.60 % C ; 1.35 — 1.60 % Si ; 0.60 — 0.80 % Mn ; 0.55 — 0.80 % Cr ; P and S content of less than 0.035 % each)	Germany (FR) Benelux France	8 500 1 350 1 200	0 0 0
ex 73.15 B VII a) 1	'Electrical' sheets and plates of allied steel, grain-oriented, highly permeable, with a wattless of 1.23 watt or less per kg for a thickness of 0.30 mm, or of 1.26 watt or less per kg for a thickness of 0.35 mm, measured at 1.7 tesla and 50 Hz	Germany (FR)	1 300	0
ex 73.16 A II b)	Used rails for re-rolling	France	21 000	0

Article 2

1. Member States accorded quotas under Article 1 of this Decision shall ensure, in liaison with the Commission, that such quotas are apportioned among third countries on a non-discriminatory basis.
2. They shall take all necessary steps to preclude the possibility of iron and steel products imported under the said tariff quotas being re-exported to other Member States in the same state as that in which they were imported.

Article 3

This Decision shall remain in force until 31 December 1976.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1976.

For the Commission

Christopher SOAMES

Vice-President
