

COUNCIL REGULATION (EEC) No 3918/91

of 19 December 1991

amending Regulation (EEC) No 2603/69 establishing common rules for exports

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the instruments establishing common organization of agricultural markets and to the instruments concerning processed agricultural products adopted pursuant to Article 235 of the Treaty, in particular the provisions of those instruments which allow for derogation from the general principle banning all quantitative restrictions or measures having equivalent effect, with the exception of the sole measures provided for in those same instruments,

Having regard to the proposal from the Commission,

Whereas, pursuant to Regulation (EEC) No 2603/69 ⁽¹⁾, as last amended by Regulation (EEC) No 1934/82 ⁽²⁾, exports from the Community to third countries are free, that is, not subject to any quantitative restrictions, subject to the exceptions provided for in that Regulation and listed in the Annex thereto;

Whereas, since the adoption of that Regulation, Member States have removed most of the restrictions on exports of some products listed in that Annex;

Whereas account should be taken of this development and the Regulation updated accordingly;

Whereas, after 31 December 1992, the maintenance by Member States of quantitative restrictions would be incompatible with the single market, which entails the abolition of goods controls at the Community's internal frontiers;

Whereas Article 30 (5) of the Single European Act determines that the external policies of the European Community and the policies agreed in European Political Cooperation must be consistent; whereas, therefore, Member States may be allowed to maintain some restrictions on exports until 31 December 1992, in particular on those exports for which restrictions have been agreed in European Political Cooperation;

Whereas it is necessary to authorize Member States which are bound by international commitments setting up, in cases of actual or potential supply difficulties, a system for the

allocation of oil products between contracting parties to comply with the resulting obligations *vis-à-vis* third countries, without prejudice to Community provisions adopted to the same end; whereas this authorization should apply until the adoption by the Council of appropriate measures pursuant to commitments entered into by the Community or all the Member States;

Whereas Regulation (EEC) No 2603/69 should be amended as a result,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2603/69 is hereby amended as follows:

1. Article 10 shall be replaced by the following:

'Article 10

1. Until 31 December 1992, the principle of the freedom of export as laid down in Article 1 shall not apply:

- to those products listed in Annex I for the Member States mentioned therein,
- nor to exports which are at present restricted by the Member States pursuant to a decision taken in European Political Cooperation.

2. In respect of products listed in Annex II, until such time as the Council adopts appropriate measures pursuant to international commitments entered into by the Community or all its Member States, Member States shall be authorized to implement, without prejudice to rules adopted by the Community in this field, the emergency sharing system introducing an allocation obligation *vis-à-vis* third countries provided for in international commitments entered into before the entry into force of this Regulation.

Member States shall inform the Commission of measures they intend to adopt. The measures adopted shall be communicated by the Commission to the Council and other Member States.';

2. the Annex shall be replaced by Annexes I and II to this Regulation.

Article 2

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

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 25.

⁽²⁾ OJ No L 211, 20. 7. 1982, p. 1.

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

Done at Brussels, 19 December 1991.

For the Council

The President

P. DANKERT

ANNEX I

Products referred to in the first indent of Article 10 (1)

CN code	Description	Member State applying the restriction
ex 4101 10	Whole hides or skins of bovine animals, of a weight per skin not exceeding 8 kg when simply dried, 10 kg when dry-salted, or 14 kg when fresh, wet-salted or otherwise preserved	Italy
ex 4102	Raw skins of sheep or lambs (fresh or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), whether or not with wool on or split, other than those excluded by note 1 (c) to this chapter	Italy
ex 4102 10	With wool on	France
ex 4102 10 90	With wool on, other	France
ex 4102 29 00	Without wool on, other	France
ex 4103 10	Other raw hides and skins of goats or kids (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), whether or not dehaired or split, other than those excluded by note 1 (b) or 1 (c) to this chapter	Italy
ex 4301 20 00	Raw furskins (including heads, tails, paws and other pieces or cuttings, suitable for furriers' use), other than raw hides and skins of heading No 4101, 4102 or 4103 of rabbit or hare, whole, with or without head, tail or paws	Italy

ANNEX II

Products referred to in Article 10 (2)

CN code	Description
2709 00	Petroleum oils and oils obtained from bituminous minerals, crude
2710 00	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:
2710 00 11 to 2710 00 39	Light oils
2710 00 41 to 2710 00 59	Medium oils
2710 00 61 to 2710 00 99	Heavy oils, except lubricating oils, used in clocks and watches and the like, presented in small receptacles containing not more than 250 g net of oil
ex 2710 00 91 to ex 2710 00 99	
2711	Petroleum gases and other gaseous hydrocarbons:
	– Liquified:
2711 12	– – Propane:
	– – – Propane of a purity not less than 99 %
	– – – Other
2711 13	– – Butanes
	– In gaseous state:
ex 2711 29 00	– – Other:
	– – – Propane
	– – – Butanes