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*(Acts whose publication is obligatory)*

# COUNCIL REGULATION (EC) No 226/2004

## of 10 February 2004

## 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 Commission,

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 [1]. Community demand for the products in question should be met under the most favourable conditions. For that purpose new Community tariff quotas should 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) The quota amount for certain autonomous Community tariff quotas is insufficient to meet the needs of the Community industry for the current quota period. Consequently, these quota amounts should be increased with effect from 1 January 2003 or 1 July 2003, depending on the starting date of these quotas, and therefore the immediate entry into force of this Regulation should be envisaged.

(3) It is no longer in the Community's interest to maintain in 2004 a Community tariff quota on some of the products for which duties were suspended in 2003. Those products should therefore be removed from the table set out in Annex I to Regulation (EC) No 2505/96.

(4) In view of the large number of amendments and in the interest of clarity, Annex I to Regulation (EC) No 2505/96 should be replaced entirely.

(5) Regulation (EC) No 2505/96 should therefore be amended accordingly.

(6) Having regard to the economic importance of this Regulation, it is necessary to rely on the grounds of urgency provided for in point I.3 of the Protocol annexed to the Treaty on European Union and to the Treaties establishing the European Community on the role of national parliaments in the European Union,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 2505/96 shall be replaced by the text set out in the Annex to this Regulation.

*Article 2*

For the quota period from 1 January to 31 December 2003, Annex I to Regulation (EC) No 2505/96 is hereby amended as follows:

(a) order number 09.2979: the amount of the tariff quota is fixed at 800 000 units;

(b) order number 09.2985: the amount of the tariff quota is fixed at 600 000 units.

*Article 3*

For the quota period from 1 July to 31 December 2003, Annex I to Regulation (EC) No 2505/96 is hereby amended as follows:

Order number 09.2935: the amount of the tariff quota shall be fixed at 90 000 tonnes.

*Article 4*

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 2004, except for Article 2 which shall apply from 1 January 2003, and Article 3 which shall apply from 1 July 2003.

[1] OJ L 345, 31.12.1996, p. 1. Regulation as last amended by Regulation (EC) No 1078/2003 (OJ L 156, 25.6.2003, p. 1).

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

Done at Brussels, 10 February 2004.

*For the Council*
*The President*
C. McCREEVY

*ANNEX*

*'ANNEX I*

| Order No | CN code | TARIC code | Description | Amount of quota | Quota duty (%) | Quota period |
|---|---|---|---|---|---|---|
| 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 | 2 000 tonnes | 0 | 1.1.–31.12. |
| 09.2604 | ex 3905 30 00 | 10 | Poly(vinyl alcohol) partially acetalised with 5-(4-azido-2-sulfobenzylidene)-3-(formylpropyl)-rhodanine, sodium salt | 100 tonnes | 0 | 1.1.–31.12. |
| 09.2605 | ex 3824 90 99 | 78 | Silver and palladium-based chemical dispersion of a kind used for screen coatings, having a content not exceeding 0,4 % by weight of silver and palladium each | 80 000 litres | 0 | 1.1.–31.12. |
| 09.2606 | ex 3824 90 99 | 79 | Silica sol for use as polishing agent in the manufacture of products falling within subheading 8542 21 01 (a) | 1 200 tonnes | 0 | 1.1.–31.12. |
| 09.2607 | ex 2922 50 00 | 60 | Fesoterodine (INN) hydrogen fumarte | 30 kg | 0 | 1.1.–31.12. |
| 09.2609 | ex 2811 22 00 | 20 | Fumed silica for use as a polish agent in the manufacture of products falling within subheading 8542 21 01 (a) | 1 000 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 | 300 tonnes | 3,5 | 1.1.-31.12. |
| 09.2613 | ex 2932 99 70 | 40 | 1,3:2,4-Bis-O-(3,4-dimethylbenzylidene)-D-glucitol | 250 tonnes | 3,3 | 1.1.-31.12. |
| 09.2614 | ex 7011 20 00 | 85 | Glass face-plate with a diagonal measurement from the outer edge to the outer edge of 91,8 (± 0,2) cm and having a light transmission of 78 (± 3) % by a reference glass thickness of 11,43 mm | 200 000 units | 0 | 1.1.-31.12. |
| 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 2 800 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 | 120 tonnes | 0 | 1.1.–31.12. |
| 09.2620 | ex 8526 91 90 | 10 | Assembly for GPS system having a position determination function | 100 000 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 | 1 800 tonnes | 0 | 1.1.–31.12 |

| 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 (a) | 13 000 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 (a): | 2 000 tonnes | | 1.1.-31.12. |
| | ex 2008 60 19 | 10 | — with a sugar content exceeding 9 % by weight, | | 10 (1) | |
| | ex 2008 60 39 | 11/19 | — with a sugar content not exceeding 9 % by weight | | 10 | |
| 09.2719 | | | Sour cherries (*Prunus cerasus*), marinated in alcohol, of a diameter not exceeding 19,9 mm, intended for the manufacture of chocolate products (a): | 2 000 tonnes | | 1.1.-31.12. |
| | ex 2008 60 19 | 20 | — with a sugar content exceeding 9 % by weight, | | 10 (1) | |
| | 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 $38 \times 10^{-6}$ $m^2$ $s^{-1}$ (38 centistokes) at 100 °C, measured using the ASTM D 445 method | 10 000 tonnes | 0 | 1.1.-31.12. |
| 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 | 50 000 tonnes | 0 | 1.1.-31.12. |
| 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 99 | 19 | Solid extract of the residual insoluble in aliphatic solvents obtained during the extraction of resin from wood, having the following characteristics:<br>— a resin acid content not exceeding 30 % by weight,<br>— an acid number not exceeding 110, and<br>— melting point of not less than 100 °C | 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 80 % by weight 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 *Auricularia polytricha* (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 | 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. |

| Order No | CN code | TARIC code | Description | Amount of quota | Quota duty (%) | Quota period |
|---|---|---|---|---|---|---|
| 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. |
| 09.2902 | ex 8540 11 15 | 91 | Flat screen colour cathode-ray tube with a screen width/height ratio of 4/3, a diagonal measurement of the screen of 59 cm or more but not exceeding 61 cm and a curvature radius of 50 m or more | 20 000 units | 7 | 1.1.–30.6.2004 |
| 09.2904 | ex 8540 11 19 | 95 | Flat screen colour cathode-ray tube with a screen width/height ratio of 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. |
| 09.2913 | ex 2401 10 41<br>ex 2401 10 49<br>ex 2401 10 50<br>ex 2401 10 70<br>ex 2401 10 90<br>ex 2401 20 41<br>ex 2401 20 49<br>ex 2401 20 50<br>ex 2401 20 70<br>ex 2401 20 90 | 10<br>10<br>10<br>10<br>10<br>10<br>10<br>10<br>10<br>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 (a) | 6 000 tonnes | 0 | 1.1.-31.12. |
| 09.2914 | ex 3824 90 99 | 26 | Aqueous solution containing by weight not less than 40 % of dry betaine extract and 5 % or more but no more than 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. |
| 09.2918 | ex 2910 90 00 | 50 | 1,2-Epoxybutan | 500 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-Dichlorobenzene | 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 | 10 | 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) | 6 500 tonnes | 0 | 1.1.-31.12. |
| 09.2955 | ex 2932 19 00 | 60 | Flurtamone (ISO) | 300 tonnes | 0 | 1.1.-31.12. |

| 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. |
| 09.2964 | 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. |
| 09.2966 | ex 2839 19 00 | 20 | Crystalline disodium disilicate, containing by weight:<br>— 59 % or more of silicon-dioxide, and<br>— 30 % or more of disodium oxide | 2 000 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. |
| 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 subheading 8433 11 (a) | 650 000 units (c) | 0 | 1.7.2003-30.6.2004 |
| 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 (± 0,2 cm) and having a light transmission of 80 % (± 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<br>ex 8407 90 80<br>ex 8407 90 90 | 10<br>10<br>10 | Spark-ignition reciprocating or rotary internal combustion piston engines, having a cylinder capacity of not less than 300 $cm^3$ and a power of not less than 6 but not exceeding 15,5 kW, for the manufacture of:<br>— self-propelled lawnmowers, with a seat of subheading 8433 11 51<br>— tractors of subheading 8701 90 11, having the main function of a lawnmower or<br>— four-stroke mowers with a motor capacity of not less than 300 $cm^3$ 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 (± 0,2 mm) or 687,2 mm (± 0,2 mm) and a height of 406,9 mm (± 0,2 mm) or 408,9 mm (± 0,2 mm), with a width of the slots at the end of the central vertical axe of 174 micrometer (± 8 micrometer) | 400 000 units | 0 | 1.1.-31.12.2004 |
| 09.2986 | ex 3824 90 99 | 76 | Mixture of tertiary amines containing:<br>— 60 % by weight of dodecyldimethylamine, or more,<br>— 20 % by weight of dimethyl(tetradecyl)amine, or more,<br>— 0,5 % by weight of hexadecyldimethylamine, or more | 14 000 tonnes | 0 | 1.1.-31.12. |

| Order No | CN code | TARIC code | Description | Amount of quota | Quota duty (%) | Quota period |
|---|---|---|---|---|---|---|
| 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. |
| 09.2993 | ex 3920 10 28 | 93 | Polyethylene film with a thickness of not more than 23 µm but not exceeding 27 mm, with a weight of not more than 32 g/m² but not exceeding 42 g/m² and with a water vapour permeability of not less than 900 g/m² per day | 120 000 000 m² | 0 | 1.1.-31.12. |
| 09.2995 | ex 8536 90 85<br>ex 8538 90 99 | 95<br>93 | Keypads,<br>— comprising a layer of silicone and polycarbonate keytops or<br>— 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. |
| 09.2999 | ex 7011 20 00 | 10 | Glass face-plate with a major diagonal measurement from the outer edge to the outer edge of 72,4 cm (± 0,2 cm) and having a light transmission of 80 % (± 3 %) by a reference thickness of the glass of 11,43 mm | 600 000 units | 0 | 1.1.-31.12. |

(a) Control of the use for this special purpose 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 2003, as provided for in Regulation (EC) No 1078/2003, shall be fully counted against this quantity.
(1) The specific additional duty is applicable.'