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I *Acts whose publication is obligatory*

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(Acts whose publication is obligatory)

REGULATION (EEC) No 2170/73 OF THE COUNCIL
of 31 July 1973

on the conclusion of the Trade Agreement between the European Economic Community
and the Socialist Federal Republic of Yugoslavia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in
particular Articles 113 and 114 thereof;

Having regard to the proposal from the Commission;

Whereas the Trade Agreement negotiated between the European Economic Community
and the Socialist Federal Republic of Yugoslavia should be concluded;

HAS ADOPTED THIS REGULATION:

Article 1

The Trade Agreement between the European Economic Community and the Socialist
Federal Republic of Yugoslavia is hereby concluded on behalf of the Community. The
text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate those who are
empowered to sign the Agreement and to confer on them the powers required to bind
the Community.

Article 3

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

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

Done at Brussels, 31 July 1973.

For the Council
The President
I. NØRGAARD

TRADE AGREEMENT

between the European Economic Community and the Socialist Federal Republic of Yugoslavia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA,

of the other part,

DETERMINED to consolidate and extend the economic and trade relations between the European Economic Community and the Socialist Federal Republic of Yugoslavia;

RECOGNIZING the importance of the harmonious growth of trade between the Contracting Parties, with due regard to their respective levels of development;

DESIRING to contribute, within the framework of this Agreement, to the promotion of trade and the development of economic cooperation on a mutually beneficial basis;

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Mr Renaat A. J. C. VAN ELSLANDE,
President of the Council of the European Communities;

Mr François-Xavier ORTOLI,
President of the Commission of the European Communities;

THE GOVERNMENT OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA:

Mr Boris ŠNUDERL,
Member of the Federal Executive Committee;

WHO, having exchanged their Full Powers, found in good and due form;

HAVE AGREED AS FOLLOWS:

Article I

The Community and Yugoslavia shall grant each other most-favoured-nation treatment in all matters relating to customs duties and charges of all kinds on imports or exports, including charges made at the time of importation or exportation, or levied on international transfers of funds intended for the settlement of imports or exports, to the manner of collecting those duties or charges and to the formalities and procedures applicable to the customs clearance of such goods.

These provisions shall be binding on the Community to the extent to which it exercises its powers in such matters.

Article II

Article I shall not apply to:

- (a) Advantages granted by the Contracting Parties with the object of establishing a customs union or a free-trade area;

- (b) Advantages granted by the Contracting Parties to particular countries in conformity with the General Agreement on Tariffs and Trade;
- (c) Advantages granted by the Contracting Parties to facilitate frontier-zone traffic with neighbouring countries.

Article III

1. The Community — within the framework of its common policy — and Yugoslavia shall grant each other the highest degree of liberalization of imports and exports which they apply overall to third countries.
2. If the application of paragraph 1 raises or is liable to raise serious difficulties, the Contracting Party in question shall supply all relevant information required for a thorough examination of the situation to the Joint Committee provided for in Article VI with a view to seeking a solution acceptable to the Contracting Parties.
3. Where exceptional circumstances requiring immediate action make prior examination impossible, the Contracting Party concerned may forthwith apply in respect of the other Party the precautionary measures strictly necessary to deal with the situation.
4. The protective measures shall be immediately notified to the Joint Committee and shall be the subject of periodical consultations within the Committee, with a view particularly to their abolition as soon as circumstances permit.
5. In the selection of measures, priority must be given to those which cause least disturbance.

Article IV

The Contracting Parties shall endeavour to promote and increase their trade with each other on the basis of mutual benefit.

To this end they confirm their determination to implement this Agreement in a liberal manner and they will take all necessary measures to facilitate trade with one another within the framework of the Regulations in force.

Each Contracting Party shall give sympathetic consideration to requests by the other Party and proposals by the Joint Committee designed to facilitate imports into its territory.

Article V

The Community shall, within the framework of cooperation established between the two Parties, adjust the system of Community levies applicable to adult bovine animals and beef in accordance with the detailed rules laid down in Annex I.

Article VI

A Joint Committee shall be established consisting of representatives of the Community and representatives of Yugoslavia. The Joint Committee shall meet once a year at a date fixed by mutual consent. Extraordinary meetings may be called by mutual consent at the request of one of the Contracting Parties.

The Joint Committee shall ensure the proper execution of this Agreement and shall examine all matters to which the implementation thereof may give rise.

The Joint Committee may set up specialized sub-committees to assist in the performance of its duties.

The Joint Committee shall also be responsible for finding ways and means to encourage the development of economic and commercial cooperation between the Community and Yugoslavia to the extent to which this may promote the development of trade.

It may formulate and submit to the respective authorities recommendations liable to contribute to the attainment of the aims of this Agreement, in particular the harmonious development of trade between the Contracting Parties.

Article VII

The Contracting Parties may develop economic cooperation as an adjunct to trade in fields of mutual interest to both parties and in the light of developments in the economic policies of the Community.

Article VIII

The provisions of this Agreement shall be substituted for those provisions of the agreements concluded between the Member States of the Community and the Socialist Federal Republic of Yugoslavia which are incompatible with or identical to them.

Article IX

This Agreement, of which the Annexes shall form an integral part, is concluded for a period of five years from the date of its entry into force.

It shall be extended by tacit consent from year to year, unless six months' notice of termination is given.

Article X

This Agreement shall enter into force on the first day of the second month following the day on which

the Contracting Parties notify each other of the completion of the procedures necessary to that end.

Article XI

This Agreement is drawn up in two copies in the Danish, Dutch, English, French, German, Italian and Serbo-Croat languages, each of these texts being authentic.

ANNEX I

on the implementation of Article V of the Agreement

1. The Community agrees to restrict the levy applicable to imports of the products listed in the Annex as follows:
 - the levy charged may not, in the first four years of implementation of the Agreement, exceed 75 % of the full levy, and in the fifth year 80 %, if it is found that the Community market price exceeds 98 %, but does not exceed 100 % of the guide price;
 - the levy charged may not exceed:
 - 50 % of the full levy, if it is found that the Community market price exceeds 100 %, but does not exceed 102 % of the guide price;
 - 15 % of the full levy, if it is found that the Community market price exceeds 102 %, but does not exceed 104 % of the guide price;
 - 5 % of the full levy, if it is found that the Community market price exceeds 104 %, but does not exceed 106 % of the guide price.
2. (a) Yugoslavia agrees to supply the competent authorities of the Community with all relevant information on export prices, quantities and presentation of the products exported (live animals, carcasses, quarters).

(b) Yugoslavia agrees to take all appropriate measures to ensure that the 'free-at-frontier' offer price, plus the customs duty and the reduced levy, remains equivalent to that resulting from application of the normal levy.
- (c) To contribute to the stabilization of the internal Community market, Yugoslavia agrees to maintain an adequate phasing of deliveries and to take all measures necessary to ensure a balanced expansion of its exports to the Community, in particular through an effective control over each consignment by means of a document certifying that the goods originated in and came from Yugoslavia, and correspond exactly to the descriptions in the Annex hereto. The text of that certificate shall be agreed between the competent authorities of the two Parties.
- (d) The manner of implementing subparagraphs (a), (b) and (c) shall be determined in cooperation between the competent authorities of Yugoslavia and the Community.
- (e) The Community and Yugoslavia shall supply each other regularly with information on the state and prospects of the market in beef, so that production and import policies in respect of that product may be adjusted accordingly.
3. In the event of disturbance or threat of disturbance to the Community market caused by a substantial increase in imports from Yugoslavia resulting from the implementation of this Annex, Yugoslavia agrees to take the necessary measures to remedy the situation, in consultation with the Community. The consultations must be concluded and the measures taken within ten days following that on which consultation was requested.

If these measures are not taken within the period prescribed in the first subparagraph or if they prove inadequate, the Community may immediately suspend implementation of paragraph 1 until the situation has been remedied.

List of products covered by paragraph 1

CCT heading No	Description of goods
01.02	Live animals of the bovine species: A. Domestic species; II. Other: b) Not specified: 2. Other: aa) Not yet having any permanent teeth, of a weight of not less than 350 kg, but not more than 450 kg in respect of male animals, or of not less than 320 kg but not more than 420 kg in respect of female animals (a)
02.01	Meat and edible offals of the animals falling within heading Nos 01.01, 01.02, 01.03, or 01.04, fresh, chilled or frozen: A. Meat: II. Of bovine animals: a) Of domestic bovine animals: 1. Fresh or chilled: bb) Of adult animals: 11. Carcasses, half-carcasses or compensated quarters: aaa) Carcasses of a weight of not less than 180 kg but not more than 270 kg and half-carcasses or 'compensated' quarters, of a weight of not less than 90 kg but not more than 135 kg, with a low degree of ossification of the cartilages (more especially those of the symphysis pubis and the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (a). 22. Forequarters: aaa) Of a weight of not less than 45 kg but not more than 68 kg, with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (a). 33. Hindquarters: aaa) Of a weight of not less than 45 kg but not more than 68 kg (not less than 38 kg but not more than 61 kg in the case of 'pistola' cuts), with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour (a).

(a) Entry under this subheading is subject to production of the certificate referred to in paragraph 2 (c).

ANNEX II

DECLARATIONS AND EXCHANGE OF LETTERS

Joint Declaration No 1 concerning Articles VI and VII

1. The economic and commercial cooperation referred to in Articles VI and VII is designed to seek ways and means of achieving, as a first stage, the following objectives:

- (i) Elimination of the non-tariff barriers and barriers having equivalent effect to tariff barriers existing both in Yugoslavia and the Community in the various sectors of trade, without prejudice to Article III.

The work to be carried out in this connection by the Joint Committee shall not affect that undertaken by GATT in the same field, and shall be without prejudice thereto;

- (ii) Encouragement of market research and sales promotion in respect of Yugoslav products on the Community market and of Community products in Yugoslavia;
- (iii) Promotion of development and diversification of trade.

2. Examination of the above matters shall be carried out case by case, subject to the existence of a common interest therein by both Parties. At the request of the Party concerned, the Joint Committee is empowered to make recommendations with a view to implementing one or more of the measures referred to above.

Joint Declaration No 2

The Community and Yugoslavia agree that since the aim of the Agreement is to contribute to the development of trade relations between them it may not, without prejudice to its express provisions, be so interpreted as to restrict or reduce the existing opportunities for trade.

These same rules will be observed in adopting and implementing new measures or provisions under the terms of the Agreement or arising out of any negotiations between the Contracting Parties.

Joint Declaration No 3 concerning paragraph 2 (b) of Annex I

The Community and Yugoslavia declare that the obligation laid down in paragraph 2 (b) of Annex I does not preclude the possibility of adjusting the Yugoslav offer prices to take account of the trends in the prices for the products in question, as found for products of comparable quality on the Community market.

Joint Declaration No 4

The Community and Yugoslavia agree to communicate to each other, at the meetings of the Joint Committee, information on the tariff reductions and autonomous tariff quotas which have a bearing on the development of their trade with each other.

Exchange of letters relating to Yugoslav exports of maize, tobacco and preserved pigmeat

Your Excellencies,

In the course of the negotiations which have today resulted in the conclusion of the Trade Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia, the Yugoslav delegation drew attention to the importance of the problems associated with Yugoslav exports to the Community market of maize and tobacco.

In addition, Yugoslavia drew attention to the special importance it attaches to preserved pigmeat, taking into account the volume of its exports to the Community.

In view of the importance which Yugoslavia still attaches to the above problems, I have the honour to inform you that the Yugoslav delegation intends to raise them again at the first meeting of the Joint Committee.

I shall be obliged if you will acknowledge receipt of this letter.

Kindly accept, Your Excellencies, the assurance of my highest consideration.

Your Excellency,

We have the honour to acknowledge receipt of the letter of this day by which you were kind enough to inform us as follows:

'In the course of the negotiations which have today resulted in the conclusion of the Trade Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia, the Yugoslav delegation drew attention to the importance of the problems associated with Yugoslav exports to the Community market of maize and tobacco.

In addition, Yugoslavia drew attention to the special importance it attaches to preserved pigmeat, taking into account the volume of its exports to the Community.

In view of the importance which Yugoslavia still attaches to the above problems, I have the honour to inform you that the Yugoslav delegation intends to raise them again at the first meeting of the Joint Committee.

I shall be obliged if you will acknowledge receipt of this letter.'

Kindly accept, Your Excellency, the assurance of our highest consideration.

Exchange of letters concerning the situation of the Yugoslav labour force within the
Community

Your Excellency,

Further to the wishes expressed by the Yugoslav delegation in the course of the negotiations which have today resulted in the conclusion of the Trade Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia, I have the honour to inform you on behalf of the Member States of the European Economic Community that the latter are prepared to consider the possibility of exchanging views, during discussions to be organized for this purpose, on the situation of the Yugoslav labour force within the Community.

I shall be obliged if you will acknowledge receipt of this letter.

Kindly accept, Your Excellency, the expression of my highest consideration.

R. VAN ELSLANDE

Your Excellency,

I have the honour to acknowledge receipt of the letter of this day by which you were kind enough to inform me as follows:

'Further to the wishes expressed by the Yugoslav delegation in the course of the negotiations which have today resulted in the conclusion of the Trade Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia, I have the honour to inform you on behalf of the Member States of the European Economic Community that the latter are prepared to consider the possibility of exchanging views, during discussions to be organized for this purpose, on the situation of the Yugoslav labour force within the Community.

I shall be obliged if you will acknowledge receipt of this letter.'

Kindly accept, Your Excellency, the expression of my highest consideration.

B. ŠNUĐERL

*For the Government of
the Socialist Federal Republic of Yugoslavia*

Note concerning the date of entry into force of the Trade Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia

The Exchange of Instruments notifying the completion of the procedures necessary for the entry into force of the Trade Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia, signed at Luxembourg on 26 July 1973, took place at Brussels on 31 July 1973. The Agreement shall, pursuant to Article 10 thereof, enter into force on 1 September 1973.

REGULATION (EEC) No 2171/73 OF THE COUNCIL

of 8 August 1973

opening, allocating and providing for the administration of a Community tariff quota
for certain textile products originating in Yugoslavia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the proposal from the Commission;

Whereas within the framework of UNCTAD the European Economic Community offered to grant tariff preferences on finished and semi-finished products originating in developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished products falling within Chapters 25 to 99 of the Brussels Nomenclature and originating in developing countries;

Whereas, however, in respect of cotton textile products covered by the Long-term Agreement on International Trade in Cotton Textiles ⁽¹⁾, the offer made by the Community lays down that the preferences, in the form of duty-free ceilings, will be granted to the countries benefiting from generalized preferences which are signatories to the Long-term Agreement or possibly to those countries benefiting from generalized preferences which undertake in respect of the Community commitments similar to those existing under that Agreement and for its duration, which has been extended until 31 December 1973; whereas, having particular regard to the relation which Article 6 of the Long-term Agreement establishes between cotton products and substitute products, it appears justified in these circumstances and by virtue of the fact that a total suspension of customs duties is involved to include in the same scheme as that described above those substitute textile products given in the conditional list of partial and limited reductions of customs duties deposited with GATT by the Community during the last series of tariff negotiations;

Whereas the offer made by the Community includes a clause stipulating that the Community drew up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn

wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise in the associated countries following the implementation of the generalized preference scheme;

Whereas, for the various categories of textile products in question, Council Regulation (EEC) No 2763/72 ⁽²⁾ of 19 December 1972 opening, allocating and providing for the administration of Community tariff quotas for certain textile products originating in developing countries and Council Regulation (EEC) No 2764/72 ⁽³⁾ of 19 December 1972 establishing preferential tariffs in respect of certain textile products originating in developing countries put into effect for the Member States of the Community as originally constituted the abovementioned offer for the first nine months of 1973 in favour of those developing countries satisfying the conditions outlined above and listed in Annex B to those Regulations; whereas having regard to the abovementioned extension of the Long-term Agreement, Regulations similar to those referred to above shall cover the last three months of 1973; whereas Yugoslavia for its part has recently entered into commitments similar to those made under the Long-term Agreement; whereas Yugoslavia should, therefore, also be granted the benefit of tariff preferences for the textile products in question and also for the whole of the year 1973; whereas, in order not to affect the advantages which the present beneficiaries enjoy for the like products, separate ceilings at zero duty should be opened exclusively for products originating in Yugoslavia; whereas each of these ceilings should under normal conditions be equal to the maximum amount fixed by Regulations (EEC) No 2763/72 and (EEC) No 2764/72 for corresponding products, with a lower limit of 10 % and an upper limit of 100 % of the quantities of the types of products in question exported from Yugoslavia to the Community in 1968;

Whereas the Community should, therefore, for the period to 31 December 1973, open Community duty-free tariff quotas in respect of the products listed in the Annex to this Regulation up to the amounts specified in metric tons for each of them; whereas the benefit of these tariff quotas should

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 29.

⁽²⁾ OJ No L 296, 30. 12. 1972, p. 63.

⁽³⁾ OJ No L 296, 30. 12. 1972, p. 69.

apply only to products originating in Yugoslavia, and the concept of origin of the goods should be determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽¹⁾;

Whereas a scheme of allocation of Community tariff quotas among the Member States of the Community as originally constituted would appear to conform to the Community character of those quotas; whereas the application of the generally accepted principles in respect of the allocation of the Community tariff quotas which have been opened until now entails, under these circumstances and in view of the variety of the products concerned, calculations which are all the more problematic in that the statistical data required sometimes prove to be incomplete or not sufficiently accurate or representative; whereas the time required for these calculations cannot be reconciled with the continuity necessary for the application of the tariff preferences concerned; whereas, under these conditions, it would be advisable still at this stage to adopt a fixed scale for allocating the Community tariff quotas concerned among the Member States; whereas, using on the basis of general economic criteria, ie external trade, the gross national product and population, the percentages for the initial shares of the Member States in the quota amounts are as follows for the quota year under consideration:

Germany	37.5 %
Benelux	15.1 %
France	27.1 %
Italy	20.3 %

Whereas, since the quotas involved are relatively small it appears possible, without affecting the Community nature of the tariff quotas under consideration, to provide at this stage for a utilization scheme based on a single allocation among the Member States; whereas such allocation could be made according to the percentages set out in the table above;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand-Duchy of Luxembourg are united in and represented by the Benelux Economic Union for the allocation of the tariff quotas concerned, any measure concerning the administration of the quota shares allocated to that Economic Union may be carried out by one of its Members;

Whereas, since the tariff quotas in question are valid until 31 December 1973, the system established could be amended under the Protocol No 23 to the Act annexed to the Treaty ⁽²⁾ on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community;

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 31 December 1973, the Common Customs Tariff duties on the products listed in the Annex to this Regulation shall be totally suspended for Community tariff quotas up to the volume in metric tons indicated in column 3 of that Annex in respect of each of those products.

2. The tariff quotas referred to shall be granted only to products originating in Yugoslavia. For the purposes of this Regulation the origin of the goods shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

The Community tariff quotas referred to in Article 1 (1) shall be allocated among the Member States in quota shares equal to the amounts indicated in column 4 of the Annex in respect of each type of product.

Article 3

1. The Member States shall ensure free access to the quota share which has been allocated to them for importers of the products concerned who are established on their territory.

2. The extent to which the quota shares of Member States have been actually used up shall be recorded on the basis of imports of the products which have been presented for customs clearance under cover of declarations that they have been entered into consumption, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. An item of goods may qualify for a tariff quota if the certificate of origin referred to in paragraph 2 is submitted before the date on which the levying of duties is reintroduced.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽²⁾ OJ No L 73, Special Edition, 27. 3. 1972, p. 178.

Article 4

Member States shall inform the Commission at regular intervals of imports actually charged against their quota shares.

Article 5

Member States and the Commission shall cooperate closely to see that the preceding provisions are observed.

Article 6

The foregoing provisions may be amended under Protocol No 23 to the Act annexed to the Treaty of Accession.

Article 7

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

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

Done at Brussels, 8 August 1973.

For the Council

The President

I. NØRGAARD

ANNEX

List of products originating in Yugoslavia covered by Community duty-free tariff quotas as part of the generalized tariff preferences

Item No	CCT heading No 1	Description 2	Quota volume (in metric tons) 3	Volume of quota shares allocated to Member States (in metric tons) 4
1	55.05	Cotton yarn, not put up for retail sale: B. Other: II. Other: Measuring, per single yarn, per kilo: — 14 000 m or less	55	Germany: 20.62 Benelux: 8.31 France: 14.91 Italy: 11.16
2		— more than 14 000 m but not more than 40 000 m	855	Germany: 320.62 Benelux: 129.11 France: 231.71 Italy: 173.56
3		— more than 40 000 m but not more than 80 000 m	295	Germany: 110.63 Benelux: 44.55 France: 79.94 Italy: 59.88
4		— more than 80 000 m but not more than 120 000 m	43	Germany: 16.13 Benelux: 6.49 France: 11.65 Italy: 8.73
5	55.09	Other woven fabrics of cotton: A. Containing 85 % or more by weight of cotton: I. of a width of less than 85 cm — unbleached	24	Germany: 9.00 Benelux: 3.63 France: 6.50 Italy: 4.87
6		— other	76	Germany: 28.50 Benelux: 11.48 France: 20.59 Italy: 15.43
7		II. Other: — unbleached, of a width: — of 85 cm or more but not more than 115 cm	765	Germany: 286.87 Benelux: 115.52 France: 207.32 Italy: 155.29

Item No	CCT heading No 1	Description 2	Quota volume (in metric tons) 3	Volume of quota shares allocated to Member States (in metric tons) 4
8		— more than 115 cm but not more than 165 cm	465	Germany: 174.37 Benelux: 70.22 France: 126.02 Italy: 94.39
9		— more than 165 cm	151	Germany: 56.63 Benelux: 22.80 France: 40.92 Italy: 30.65
10		Other: — printed	53	Germany: 19.88 Benelux: 8.00 France: 14.36 Italy: 10.76
11		— other	53	Germany: 19.88 Benelux: 8.00 France: 14.36 Italy: 10.76
12	56.05	Yarn of man-made fibres (discontinuous or waste) not put up for retail sale B. Of regenerated textile fibres	72	Germany: 27.00 Benelux: 10.87 France: 19.51 Italy: 14.62
13	56.07	Woven fabrics of man-made fibres (discontinuous or waste): B. Of regenerated textile fibres: — printed	100	Germany: 37.50 Benelux: 15.10 France: 27.10 Italy: 20.30
14		— other	100	Germany: 37.50 Benelux: 15.10 France: 27.10 Italy: 20.30
15	ex 60.03	Stockings, under stockings, socks, ankle-sock, sockettes and the like, knitted or crocheted, not elastic or rubberized: — of cotton	17	Germany: 6.37 Benelux: 2.57 France: 4.61 Italy: 3.45

Item No	CCT heading No 1	Description 2	Quota volume (in metric tons) 3	Volume of quota shares allocated to Member States (in metric tons) 4
16	60.04	Undergarments, knitted or crocheted, not elastic or rubberized: A. Of cotton	72	Germany: 27.00 Benelux: 10.87 France: 19.51 Italy: 14.62
17	61.01	Men's and boys' outer garments: — other than of cotton fabric	191	Germany: 71.63 Benelux: 28.84 France: 51.76 Italy: 38.77
18	62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other fur- nishing articles: — of cotton fabric	31	Germany: 11.63 Benelux: 4.68 France: 8.40 Italy: 6.29
19		— other	4	Germany: 1.50 Benelux: 0.61 France: 1.08 Italy: 0.81

REGULATION (EEC) No 2172/73 OF THE COUNCIL

of 8 August 1973

opening tariff preferences for certain textile products originating in Yugoslavia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the proposal from the Commission;

Whereas within the context of UNCTAD the European Economic Community offered to grant tariff preferences on finished and semi-finished products originating in developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished products falling within Chapters 25 to 99 of the Brussels Nomenclature and originating in developing countries;

Whereas, however, in respect of cotton textile products covered by the Long-term Agreement on International Trade in Cotton Textiles⁽¹⁾ the offer made by the Community lays down that the preferences, in the form of duty-free ceilings, will be granted to the countries benefiting from generalized preferences which are signatories to the Long-term Agreement or possibly to those countries benefiting from generalized preferences which undertake in respect of the Community commitments similar to those existing under that Agreement and for its duration, which has been extended until 31 December 1973; whereas, having particular regard to the relation which Article 6 of the Long-term Agreement establishes between cotton products and substitute products, it appears justified in these circumstances and by virtue of the fact that a total suspension of customs duties is involved to include in the same scheme as that described above those substitute textile products given in the conditional list of partial and limited reductions of customs duties deposited with GATT by the Community during the last series of tariff negotiations;

Whereas the offer made by the Community includes a clause stipulating that the Community draw up the offer on the assumption that all the main industrialized countries which are members of the OECD would participate in granting preferences and would make similar efforts in this direction; whereas, moreover, it is evident from the conclusions worked out in UNCTAD that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might

arise in the associated countries following the implementation of the generalized preference scheme;

Whereas for the various categories of textile products in question Council Regulation (EEC) No 2763/72⁽²⁾ allocating and providing for the administration of Community tariff quotas for certain textile products originating in developing countries and Council Regulation (EEC) No 2764/72⁽³⁾ of 19 December 1972 establishing preferential tariffs in respect of certain textile products originating in developing countries put into effect for Member States of the Community as originally constituted the abovementioned offer for the first nine months of 1973 in favour of those developing countries satisfying the conditions outlined above and listed in Annex B to those Regulations; whereas, having regard to the abovementioned extension of the Long-term Agreement, regulations similar to those referred to above shall cover the last three months of 1973; whereas Yugoslavia for its part has recently entered into commitments similar to those made under the Long-term Agreement; whereas Yugoslavia should, therefore, also be granted the benefit to tariff preferences for the abovementioned textile products and also for the whole of the year 1973; whereas, in order not to affect the advantages which the present beneficiaries enjoy for the like products, separate ceilings at zero should be opened exclusively for products originating in Yugoslavia; whereas each of these ceilings should under normal conditions be equal to the maximum amount fixed by Regulations (EEC) No 2763/72 and (EEC) No 2764/72 for corresponding products, with a lower limit of 10 % and an upper limit of 100 % of the quantities of the class of products in question exported from Yugoslavia to the Community in 1968; whereas these ceilings must be adjusted in order to take account of certain special cases where there are no deliveries from Yugoslavia;

Whereas, therefore, in respect of each of the classes of products listed in the Annex to this Regulation, the Community should until 31 December 1973 allow duty-free imports up to the Community ceilings indicated opposite each of those classes; whereas the benefit of these tariff quotas should be granted only for products originating in Yugoslavia, and the concept of the origin of the goods should be determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 29.

⁽²⁾ OJ No L 296, 30. 12. 1972, p. 63.

⁽³⁾ OJ No L 296, 30. 12. 1972, p. 69.

802/68 ⁽¹⁾ of 27 June 1968 on the common definition of the concept of the origin of goods;

Whereas in the event these objectives may be attained by a method of administration based on the charging at Community level of imports of the products in question against the ceilings as and when the products are presented for customs clearance under cover of declarations that they have been entered into consumption accompanied by a certificate of origin; whereas this form of administration should make it possible to reintroduce Common Customs Tariff duties as soon as the ceilings have been reached at Community level;

Whereas this form of administration requires close and particularly rapid collaboration between the Member States and the Commission, and the Commission must in particular be able to follow the extent to which charges are made in respect of the ceilings and inform the Member States thereof; whereas this collaboration must be sufficiently close for the Commission to be able to take adequate measures to reintroduce the Common Customs Tariff duties;

Whereas, since the ceilings in question are valid until 31 December 1973, the system thus established could be amended under Protocol No 23 to the Act annexed to the Treaty ⁽²⁾ on the Accession of new Member States to the European Economic Community;

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 31 December 1973, subject to Articles 2 and 4 (2), the Common Customs Tariff duties on the products listed in the Annex shall be totally suspended for Community ceilings up to the volume in metric tons indicated in column 3 opposite each of those products.

2. The benefit of the suspension referred to in paragraph 1 is granted only for products originating in Yugoslavia. For the purposes of this Regulation the origin of the goods shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

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

Done at Brussels, 8 August 1973.

Article 2

As soon as the ceilings indicated in column 3 of the Annex have been reached at Community level, the Common Customs Tariff duties may be reintroduced at any time on imports of products originating in Yugoslavia, until the end of the period specified in Article 1 (1).

Article 3

1. Imports of the products in question shall be actually charged against the Community ceilings as and when the products are presented for customs clearance under declarations that they have been entered into consumption, accompanied by a certificate of origin pursuant to the rules laid down in Article 1 (2).

2. Goods may be charged against a ceiling only if the certificate of origin referred to in paragraph 1 is submitted before the date on which the levying of duties is reintroduced.

3. The extent to which the ceilings have actually been used up shall be ascertained at a Community level on the basis of imports charged in accordance with paragraphs 1 and 2.

Article 4

1. The Commission, in close collaboration with the Member States, shall take all necessary measures to ensure that the above provisions are applied.

2. The Commission shall, by means of a Regulation, reintroduce the levying of Common Customs Tariff duties in respect of Yugoslavia, in accordance with Article 2.

Article 5

The Member States shall regularly inform the Commission of imports which are actually charged against the Community ceilings provided for in Article 1 (1).

Article 6

The foregoing provisions may be amended under Protocol No 23 to the Act annexed to the Treaty of Accession.

Article 7

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

For the Council

The President

I. NØRGAARD

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 178.

ANNEX

List of the products originating in Yugoslavia which are covered by generalized tariff preferences for certain textile products

Item No	CCT heading No 1	Description 2	Community ceiling (in metric tons) 3
1	54.05	Flax or ramie yarn	24
2	55.05	Cotton yarn, not put up for retail sale:	
		A. Multiple or cabled, finished, in balls or on cards, reels, tubes or similar supports of a weight (including support) not exceeding 900 g	9.5
3		B. Other:	
		I. Measuring, per single yarn, 120 000 m or more per kg	8
4	55.06	Cotton yarn, put up for retail sale	3
5	55.07	Cotton gauze	4
6	55.08	Terry towelling and similar terry fabrics, of cotton	8
7	55.09	Other woven fabrics of cotton:	
		B. Other	60
8	58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05)	51
9	58.10	Embroidery, in the piece, in strips or in motifs	19
10	60.01	Knitted or crocheted fabric, not elastic nor rubberized	10
		B. Of man-made fibres	
		C. Of other textile materials	
11	ex 60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, of cotton	10
12	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	30
		A. Outer garments and clothing accessories: ex II. Other, of cotton	
		ex B. Other, of cotton	
	60.06	Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic knee-caps and elastic stockings):	
		A. Fabric:	
13		— in cotton fabric	3
14		— other	3

Item No	CCT heading No 1	Description 2	Community ceiling (in metric tons) 3
15	61.01	Men's and boys' outer garments: — in cotton fabric	30
16	61.02	Women's, girls' and infants' outer garments — in cotton fabric	60
17		— other	76
18	61.03	Men's and boys' undergarments, including collars, shirtfronts and cuffs: — in cotton fabric	60
19		— other	60
20	ex 61.04	Women's, girls' and infants' undergarments, of cotton	32.5
21	61.05	Handkerchiefs	19
22	62.01	Travelling rugs and blankets: B. Other: I. of cotton	9.5
23	62.03	Sacks and bags, of a kind used for the packing of goods B. Of other textile materials: I. Used: ex (b) other: — in cotton fabric ex II. Other: — in cotton fabric	55.5
24	62.04	Tarpaulins, sails, awning, sunblinds, tents and camping goods	60