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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 2628/73 OF THE COUNCIL

of 26 September 1973

opening, allocating and providing for the administration of Community tariff quotas for certain textile products originating in developing countries

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 of finished and semi-finished products coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products by Chapter 25 to 99 of the Brussels Nomenclature originating in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial quota share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50 % of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should ordinarily be calculated on the basis of the total value for 1968 of cif imports from the countries benefiting from this scheme, excluding those already enjoying various preferential tariff arrangements granted by the Community, increased by 5 % of the value of cif imports from the other countries and from the countries already enjoying such arrangements;

Whereas, however, in respect of cotton textile products covered by the Long-term Arrangement

regarding International Trade in Cotton Textiles, the offer made by the Community lays down that the preferences, in the form of duty-free ceilings ordinarily calculated according to the formula set out in the preceding recital, will be granted to countries enjoying generalized preferences which are signatories to the Long-term Arrangement or possibly to those countries which undertake *vis-à-vis* the Community commitments similar to those existing under that Arrangement and for the duration of the said Arrangement; whereas it is apparent that only imports from these countries are to form the basis for calculating the abovementioned ceilings; whereas, with particular regard to the relation which Article 6 of the said Long-term Arrangement 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, moreover, in view of the special nature which trade in the products concerned may have, it appears expedient wherever this is justified by the particular sensitivity of the product to determine in terms of tonnages the ceilings for the preferential imports of such product, taking due account of deliveries carried out during 1968 by the benefiting countries alone; whereas, moreover, particularly in view of the high level of deliveries of the textiles in question to the Community by the third countries concerned, it appears appropriate, except in particular instances, to restrict preferential imports from any single benefiting country to 30 % of the ceiling laid down for each category of textile products concerned;

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 tariff preferences have been applied as from the second half of 1971 under the conditions set out above; whereas application of the said preferences has been confined, in respect of the cotton textiles and substitute textiles concerned above, to the first nine months of 1973 by Council Regulation (EEC) No 2763/72⁽¹⁾ of 19 December 1972 opening, allocating and providing for the administration of Community tariff quotas for certain textile products originating in developing countries, the Long-term Arrangement regarding International Trade in Cotton Textiles being due to expire on 30 September 1973; whereas the said Arrangement has been prorogued until the end of 1973; and whereas these circumstances betoken renewed application of the said preferences, *pro rata temporis*, for the last quarter of 1973;

Whereas it is expedient, therefore, in respect of the products referred to in Annex A which originate in the countries listed in Annex B, that the Community should open for the last quarter of 1973, duty-free Community tariff quotas within the limits of the amounts, in metric tons given in respect of each of these products;

Whereas charges against each of these tariff quotas must, in respect of the products originating in any of the abovementioned countries, come within a specified percentage of the amount of the quota; whereas the benefit of such tariff quotas should be reserved for products originating in the countries under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68⁽²⁾ of 27 June 1968 on the common definition of the concept of the origin of goods;

Whereas it is necessary to ensure equal and continuous access for all Community importers to the abovementioned quotas and the uninterrupted application of the rate laid down for those quotas to all imports of the products concerned into all Member States until those quotas are used up; whereas, having regard to the principles defined

above, the Community nature of the quotas can be respected by allocating the Community tariff quota among Member States; whereas, moreover, to this end and in the context of the utilization system, the actual charges against the quotas may relate only to products which are presented for customs clearance under cover of declarations that they have been entered into consumption and which are accompanied by a certificate of origin;

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 and in view of the specification of the benefiting countries, 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 as a basis general economic criteria relating to 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, without affecting the Community nature of the tariff quotas under consideration, it appears possible to provide at this stage for a utilization scheme based on a single allocation among the Member States; whereas, moreover, the allocation set out by this Regulation in no way prejudices the possibility of adopting, following a limited experimental period, the general method of allocation of Community tariff quotas comprising the setting up of a reserve share; whereas at the present juncture it appears feasible that such allocation could be made according to the percentages set out in the table above;

Whereas the percentages for the shares of the Member States in the Community tariff quotas, in view of the duration and amounts thereof, does not appear in this instance to compromise the equal access for Community importers to Community tariff quotas;

⁽¹⁾ OJ No L 296, 30. 12. 1972, p. 63.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

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 concerned are valid until 31 December 1973, the system established could be amended under the provisions of Protocol No 23 annexed to the Act joined to the Treaty of Accession ⁽¹⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 October to 31 December 1973, the Common Customs Tariff duties on the products listed in Annex A shall be completely suspended within the framework of Community tariff quotas of volumes which shall be expressed in metric tons and which shall be indicated in respect of each product in column 3 of such Annex.

2. These tariff quotas shall be enjoyed solely by products originating in the countries listed in Annex B. However, those imports which already enjoy exemption from customs duties under other preferential tariff arrangements granted by the Community may not be charged against these tariff quotas. For the purposes of the application of this Regulation, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

3. The amount to be charged in respect of each country referred to in paragraph 2 against each of the tariff quota amounts mentioned above shall be limited to the maximum amount given as a percentage and in metric tons in column 4 of Annex A in respect of each category of products.

4. Any amendment to Annex B, in particular by the addition of new countries enjoying tariff preferences, may entail a corresponding adjustment to the volumes of the quotas and to the maximum amounts appearing in columns 3 and 4 of Annex A.

Article 2

The Community tariff quotas referred to in Article 1 shall be allocated in quota shares which shall be,

for each Member State, the amounts corresponding to the quantities given in column 5 of Annex A in respect of each category of products.

Article 3

1. The Member States shall ensure free access to the quota shares which have 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 in question 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.

Article 4

The Commission shall take all necessary measures to ensure that the maximum amount referred to in Article 1 (3) is observed. When the charges, at Community level, of products originating in each of the countries listed in Annex B, against any one of the Community tariff quotas reach the maximum amount laid down in column 4 of Annex A, the Commission shall immediately notify the Member States of the date on which, as a result of this factor, the normal tariff is to be reintroduced in respect of the country in question. This notification shall be published in the *Official Journal of the European Communities*.

Article 5

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

Article 6

Member States and the Commission shall cooperate closely to see that the provisions of the above Articles are observed.

⁽¹⁾ OJ Special Edition, 27. 3. 1972, p. 178.

Article 7

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

Article 8

This Regulation shall enter into force on 1 October 1973.

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

Done at Brussels, 26 September 1973.

For the Council

The President

I. NØRGAARD

ANNEX A

**List of products subject to zero-duty Community tariff quotas under the Generalized Tariff
Preferences granted in favour of certain developing countries**

Order No	CCT heading No (1)	Description (2)	Quota amount (in metric tons) (3)	Maximum amount per country (4)		Share of quota amounts allocated to Member States (in metric tons) (5)
				in %	in metric tons	
1	55.05	Cotton yarn, not put up for retail sale: B. Other II. Not specified: Single, measuring per kg: — 14 000 m or less	189	30	57	Germany: 70.87 Benelux: 28.54 France: 51.22 Italy: 38.37
2		— more than 14 000 m and up to 40 000 m	712	30	214	Germany: 267.00 Benelux: 107.51 France: 192.95 Italy: 144.54
3		— more than 40 000 m and up to 80 000 m	245	30	73	Germany: 91.88 Benelux: 36.99 France: 66.39 Italy: 49.74
4		— More than 80 000 m and up to 120 000 m	35	30	10	Germany: 13.12 Benelux: 5.28 France: 9.49 Italy: 7.11
5	55.09	Other woven fabrics of cotton: A. Containing 85 % or more by weight of cotton: ex I. Of a width of less than 85 cm — Unbleached	127	30	38	Germany: 47.62 Benelux: 19.18 France: 34.42 Italy: 25.78
6		II. Other — Unbleached, of a width of: — 85 cm to 115 cm	637	30	191	Germany: 238.87 Benelux: 96.19 France: 172.63 Italy: 129.31
7		— More than 115 cm and up to 165 cm	387	30	116	Germany: 145.12 Benelux: 58.44 France: 104.88 Italy: 78.56
8		— More than 165 cm	125	30	37	Germany: 46.87 Benelux: 18.88 France: 33.87 Italy: 25.38
9		— Not specified	52	30	16	Germany: 19.50 Benelux: 7.85 France: 14.09 Italy: 10.56

Order No	CCT heading No (1)	Description (2)	Quota amount (in metric tons) (3)	Maximum amount per country (4)		Share of quota amounts allocated to Member States (in metric tons) (5)
				in %	in metric tons	
10	56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: B. Of regenerated textile fibres	60	30	18	Germany: 22.50 Benelux: 9.06 France: 16.26 Italy: 12.18
11	56.07	Woven fabrics of man-made fibres (discontinuous or waste): B. Of regenerated textile fibres	60	30	18	Germany: 22.50 Benelux: 9.06 France: 16.26 Italy: 12.18
12	ex 60.03	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic nor rubberized: — Of cotton	27	30	8	Germany: 10.12 Benelux: 4.08 France: 7.32 Italy: 5.48
13	62.02	Bed linen, table-linen, toilet linen and kitchen linen; curtain and other furnishing articles: — In woven fabrics of cotton	35	30	10	Germany: 13.13 Benelux: 5.28 France: 9.48 Italy: 7.11
14		— Other	14	30	4	Germany: 5.25 Benelux: 2.12 France: 3.79 Italy: 2.84

ANNEX B**List of developing countries benefiting under the Generalized Tariff Preferences for certain textile products**

Afghanistan
Argentina
Bangladesh
Colombia
Egypt, Arab Republic of
El Salvador
India
Jamaica
Korea, Republic of (South Korea)
Mexico
Pakistan
Philippines
Thailand

REGULATION (EEC) No 2629/73 OF THE COUNCIL

of 26 September 1973

establishing preferential tariffs in respect of certain textile products originating in developing countries

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 coming from developing countries; whereas the preferential treatment proposed in that offer covers, generally speaking, all finished and semi-finished industrial products covered by Chapters 25 to 99 of the Brussels Nomenclature which originate in developing countries; whereas the preference consists in the granting of exemption from customs duties; whereas preferential imports are effected up to the level of ceilings calculated by value in respect of each product on the basis of factors which are uniform for all the products; whereas, in order that the preferences granted to the most competitive developing country or countries should be restricted and that a substantial quota share should be reserved for the least competitive, preferential imports from any one developing country in respect of a given product should not, as a general rule, exceed 50 % of the ceiling fixed for that product;

Whereas, in the offer made by the Community, the annual ceilings should ordinarily be calculated on the basis of the total value for 1968 of cif imports from the countries benefiting from this scheme, excluding those already enjoying various preferential tariff arrangements granted by the Community, increased by 5 % of the value of cif imports from the other countries and from countries already enjoying such arrangements;

Whereas, however, in respect of cotton textile products covered by the Long-term Arrangement regarding International Trade in Cotton Textiles, the offer made by the Community lays down that the preferences, in the form of duty-free ceilings ordinarily calculated according to the formula set out in the preceding recital, will be granted to the countries enjoying generalized preferences which are signatories to the Long-term Arrangement or possibly to those countries which undertake *vis-à-vis* the Community commitments similar to those existing under that Arrangement and for the duration of the

said Arrangement (which expires on 30 September 1973); whereas it is apparent that only imports from these countries are to form the basis for calculating the abovementioned ceilings; whereas, with particular regard to the relation which Article 6 of the said Long-term Arrangement 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, moreover, in view of the special nature which trade in the products concerned may have, it appears expedient to calculate in terms of tonnages the ceilings for preferential imports of such products;

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 tariff preferences have been applied as from the second half of 1971 under the conditions set out above, whereas application of the said preferences has been confined, in respect of the cotton textiles and substitute textiles concerned above, to the first nine months of 1973 by Council Regulation (EEC) No 2764/72 ⁽¹⁾ of 19 December 1972 establishing preferential tariffs in respect of certain textile products originating in developing countries, the Long-term Arrangement regarding International Trade in Cotton Textiles being due to expire on 30 September 1973; whereas the said Agreement will be prorogued until the end of 1973; whereas these circumstances betoken renewed application of the

⁽¹⁾ OJ No L 296, 30. 12. 1972, p. 69.

said preferences, *pro rata temporis*, for the last quarter of 1973; and whereas with regard to the terms of the offer concerned, the abovementioned additional sum of 5 % may refer only to 1970;

Whereas it is expedient, therefore, in respect of the products referred to in Annex A which originate in the countries listed in Annex B, that the Community should allow, for each category of these products and for the last quarter of 1973, duty-free imports within the limits of the Community ceilings calculated in the manner set out above; whereas the benefit of such tariff exemption should be reserved for products originating in the countries under consideration, the concept of 'originating products' being determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No 802/68 ⁽¹⁾ of 27 June 1968 on the common definition of the concept of the origin of goods; whereas charges against each of these ceilings must, as a general rule, come within a maximum Community amount of 50 % in respect of the products originating in any of the abovementioned countries;

Whereas, under these circumstances, these objectives may be reached by applying a method of administration based on the charging, at Community level, against the abovementioned ceilings and maximum amounts, of imports of the products concerned as and when these products are presented for customs clearance under cover of declarations that they have been entered into consumption and accompanied by a certificate of origin; whereas this method of administration must make provision for the reintroduction of Common Customs Tariff duties as soon as the said ceilings or maximum amounts are reached at Community level;

Whereas such method of administration calls for very close and particularly rapid cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which charges are made against the ceilings and maximum amounts and inform Member States thereof; whereas such cooperation should be particularly close in view of the need for the Commission to be able to take appropriate measures to reintroduce Common Customs Tariff duties either generally or individually, when any of the ceilings or maximum amounts is reached;

Whereas, since the ceilings concerned are valid until 31 December 1973 the system established could be amended under the provisions of Protocol No 23 annexed to the Act joined to the Treaty of Accession ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 October to 31 December 1973, the Common Customs Tariff duties on the products listed in Annex A shall be totally suspended, subject to the provisions of Article 2 and Article 4 (2) of this Regulation.
2. This suspension shall be enjoyed solely by products originating in the countries listed in Annex B. However, imports already enjoying exemption from customs duties under other preferential tariff arrangements shall not be charged against the ceilings specified in paragraph 3. For the purposes of the application of this Regulation, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.
3. Subject to the provisions of Article 2 and Article 4 (2) this suspension shall be granted, in respect of each category of products, within a Community ceiling which shall be equal to a quarter of the amount obtained by adding together imports in 1968, expressed in metric tons, of the products concerned from the countries listed in Annex B, excluding those already enjoying various preferential tariff arrangements granted by the Community, and 5 % of the tonnage of imports in 1970 from other countries and from countries already enjoying such arrangements.
4. Subject to the provisions of Article 2 and Article 4 (2), within each ceiling thus calculated, charges of products originating in any one of the countries listed in Annex B should not exceed a Community maximum amount equivalent to 50 % of this ceiling with the exception of certain products for which the maximum amount shall be reduced to the percentage shown in Annex A.
5. Any amendment to Annex B, in particular by the addition of new countries enjoying tariff preferences, may entail a corresponding adjustment to the Community ceilings and the maximum amounts referred to in paragraphs 3 and 4.

Article 2

1. As soon as the ceilings calculated in accordance with the provisions of Article 1 (3), which are laid down for Community imports of products originating in all of the countries referred to in Article 1 (2), are reached at Community level, the levying of Common Customs Tariff duties on imports of the products in

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽²⁾ OJ Special Edition, 27. 3. 1972, p. 178.

question from all the countries concerned may at any time be reintroduced until the end of the period referred to in Article 1 (1).

2. As soon as the maximum amounts calculated in accordance with the provisions of Article 1 (4), which are laid down for Community imports of products originating in each of the countries referred to in Article 1 (2), are reached for any one of these countries at Community level, the levying of the Common Customs Tariff duties on imports of the products in question from the country concerned may at any time be reintroduced until the end of the period referred to in Article 1 (1).

Article 3

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

2. An item of goods may be charged against a ceiling or maximum amount 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 and maximum amounts have been actually used up shall be recorded at Community level on the basis of the imports charged in the conditions laid down in paragraphs 1 and 2.

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

Done at Brussels, 26 September 1973.

Article 4

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

2. The Commission shall reintroduce the levying of Common Customs Tariff duties in respect of all the countries referred to in Article 1 (2) or in respect of any one of them by means of a Regulation in the conditions laid down in Article 2 (1) and (2).

Article 5

Member States shall inform the Commission at regular intervals of imports of the products in question actually charged against the Community ceilings and maximum amounts laid down in Article 1 (3) and (4).

Article 6

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

Article 7

This Regulation shall enter into force on 1 October 1973.

For the Council

The President

I. NØRGAARD

ANNEX A

List of products originating in developing countries to which the Generalized Tariff Preferences for certain textile products will apply

CHAPTER 54

54.05 Woven fabrics of flax or of ramie

CHAPTER 55

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
B. Other:
I. Measuring, per simple yarn, 120 000 m or more per kg

55.06 Cotton yarn, put up for retail sale

55.07 Cotton gauze

55.08 Terry towelling and similar terry fabrics, of cotton

55.09 Other woven fabrics of cotton:
A. Containing 85 % or more by weight of cotton:
ex I. Of a width of less than 85 cm:
— other than raw cotton ⁽¹⁾
B. Other

CHAPTER 58

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)

58.10 Embroidery, in the piece, in strips or in motifs:
B. Other

CHAPTER 60

60.01 Knitted or crocheted fabric, not elastic nor rubberized:
B. Of man-made fibres
C. Of other textile materials

ex 60.02 Gloves, mittens and mitts, knitted or crocheted, not elastic nor rubberized

60.04 Undergarments, knitted or crocheted, not elastic nor rubberized:
A. Of cotton ⁽¹⁾

⁽¹⁾ For products falling within this subheading the maximum Community amount referred to in Article 1 (4) of this Regulation is reduced to 30 %.

60.05 Outer garments and other articles, knitted or crocheted, not elastic nor rubberized:

A. Outer garments and clothing accessories

ex II. Other

ex B. Other

60.06 Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic knee-caps and elastic stockings)

A. Fabric

CHAPTER 61

61.01 Men's and boys' outer garments

61.02 Women's, girls' and infants' outer garments

61.03 Men's and boys' undergarments, including collars, shirt fronts and cuffs

ex 61.04 Women's, girls' and infants' undergarments

61.05 Handkerchiefs

CHAPTER 62

62.01 Travelling rugs and blankets:

B. Other:

I. Of cotton

62.03 Sacks and bags, of a kind used for the packing of goods:

B. Of other textile materials:

I. Used:

ex b) Other:

— of cotton

ex II. Other:

— of cotton ⁽¹⁾

62.04 Tarpaulins, sails, awnings, sunblinds, tents and camping goods

⁽¹⁾ For products falling within this subheading the maximum Community amount referred to in Article 1, (4) of this Regulation is reduced to 30 %.

ANNEX B

List of developing countries benefiting under the Generalized Tariff Preferences for certain textile products

Afghanistan
Argentina
Bangladesh
Colombia
Egypt, Arab Republic of
El Salvador
India
Jamaica
Korea, Republic of (South Korea)
Mexico
Pakistan
Philippines
Thailand

REGULATION (EEC) No 2630/73 OF THE COUNCIL

of 27 September 1973

establishing a system of permits covering the import of yarn of jute from non-member countries into the United Kingdom

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1025/70 ⁽¹⁾ of 25 May 1970 establishing common rules for imports from non-member countries, and in particular Article 11 (1) thereof;

After consultation with the Advisory Committee set up by Article 5 of that Regulation;

Having regard to the proposal from the Commission;

Whereas in response to a request from the British Government the Commission, by Regulation (EEC) No 1832/73 ⁽²⁾ of 4 July 1973 establishing a system of permits covering the import of yarn of jute from non-member countries into the United Kingdom, took interim protective measures limiting the importation into the United Kingdom of yarn of jute;

Whereas it appears from the information supplied by the British Government, in particular during the consultation in the abovementioned Committee, and also from other information, that until 1 April 1973, the date on which Regulation (EEC) No 1025/70 came into operation in the United Kingdom, importation into the United Kingdom of the products in question was subject to quantitative restrictions in relation to the countries concerned; whereas the increase in such imports which would follow the liberalization thereof would be likely to cause substantial injury, which it would be difficult to repair, to the jute spinning industry in the United Kingdom and to affect the employment situation in the region where this industry is centred;

Whereas interim protective measures must therefore be taken, due regard being had to the relevant international provisions, in respect of the importation of the products in question; whereas these measures should consist in a limitation of imports;

Whereas, since such measures are of a protective nature, they must remain in force no longer than is necessary to allow the negotiations with the two non-member countries which are the main suppliers to be completed, or, if these negotiations are unsuccessful, no longer than is necessary to enable the question to be considered of what measures, if any, should be taken; whereas the Community is negotiating at the present time, or proposes to negotiate in the near future, agreements on trade in jute products with the non-member countries which are the main suppliers, and the protective measures should therefore be adopted for a period extending up to the date of entry into force of such agreements, but not beyond 31 December 1973;

Whereas, given that the threat of substantial injury originated in imports intended for United Kingdom markets, it appears justified at present, having regard to existing trade flows, to restrict the application of protective measures to imports into the United Kingdom;

Whereas these imports should be restricted to the relevant level in the United Kingdom before 1 April 1973;

Whereas these protective measures may be amended or repealed in the light of the trend in imports into other regions of the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. The importation into the United Kingdom of Great Britain and Northern Ireland from the non-member countries listed in Annex II to Council Regulation (EEC) No 1025/70, excepting those countries set out in the Annex hereto, of the product shown below shall be subject to production of an import permit, and the total tonnage so imported during the period 1 April 1973 to 31 December 1973 inclusive shall not exceed the number of metric tons indicated against the name of that product:

CCT heading No		
57.06	Yarn of jute	380 metric tons

⁽¹⁾ OJ No L 124, 8. 6. 1970, p. 6.

⁽²⁾ OJ No L 185, 7. 7. 1973, p. 15.

2. The import authorizations referred to in paragraph 1 shall be issued by the United Kingdom of Great Britain and Northern Ireland.

Article 2

This Regulation shall enter into force on the 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, 27 September 1973.

For the Council

The President

I. NØRGAARD

ANNEX

Austria
Finland
Iceland
Norway
Portugal
Sweden
Switzerland (including Liechtenstein)

REGULATION (EEC) No 2631/73 OF THE COUNCIL

of 27 September 1973

providing for licences for the import of cotton yarn into the United Kingdom from non-member countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1025/70 ⁽¹⁾ of 25 May 1970 establishing common rules for imports from non-member countries, and in particular Article 11 (1) thereof;

After consultation with the Advisory Committee set up by Article 5 of that Regulation;

Having regard to the proposal from the Commission;

Whereas in response to a request from the British Government the Commission, by Regulation (EEC) No 1831/73 ⁽²⁾ of 4 July 1973 providing for licences for the import of cotton yarn into the United Kingdom originating in and coming from non-member countries, took interim protective measures limiting the importation into the United Kingdom of cotton yarn;

Whereas it appears from the information supplied by the British Government, in particular during the consultation in the abovementioned Committee, and also from other information, that until 1 April 1973, the date on which Regulation (EEC) No 1025/70 came into operation in the United Kingdom, importation into the United Kingdom of the products in question was subject to quantitative restrictions in relation to the countries concerned; whereas the increase in such imports which would follow the liberalization thereof would be likely to cause substantial injury, which it would be difficult to repair, to the cotton spinning industry in the United Kingdom and to affect the employment situation by jeopardizing the reconversion process in that industry;

Whereas interim protective measures must therefore be taken and should consist in a limitation on the importation of cotton yarn;

Whereas to remove the threat of injury, protective measures should be adopted for a period extending up to 31 December 1973;

Whereas given that the threat of substantial injury originated in imports intended for United Kingdom markets, it appears justified at present, having regard to existing trade flows, to restrict the application of protective measures to imports into the United Kingdom;

Whereas these imports should be restricted to the relevant level in the United Kingdom before 1 April 1973;

Whereas these protective measures may be amended or repealed in the light of the trend in imports into other regions of the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. The importation into the United Kingdom of Great Britain and Northern Ireland from the non-member countries listed in Annex II to Council Regulation (EEC) No 1025/70, excepting those countries set out in the Annex hereto, of the products shown below shall be subject to production of an import licence, and the total tonnage so imported during the period 1 April 1973 to 31 December 1973 inclusive shall not exceed the number of metric tons indicated against the names of those products:

CCT heading No		
55.05	Cotton yarn, not put up for retail sale	} 12 750 metric tons
55.06	Cotton yarn, put up for retail sale	

⁽¹⁾ OJ No L 124, 8. 6. 1970, p. 6.

⁽²⁾ OJ No L 185, 7. 7. 1973, p. 13.

2. The imports licences referred to in paragraph 1 shall be issued by the United Kingdom of Great Britain and Northern Ireland.

Article 2

This Regulation shall enter into force on the 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, 27 September 1973.

For the Council

The President

I. NØRGAARD

ANNEX

Australia
Austria
Canada
Cyprus
Finland
Greece
Iceland
Israel
Lebanon
Malta
Morocco
New Zealand
Norway
Portugal
Spain
Sweden
Switzerland (including Liechtenstein)
Tunisia
Turkey
USA

REGULATION (EEC) No 2632/73 OF THE COUNCIL

of 28 September 1973

amending Regulation (EEC) No 1968/73 laying down general rules to be applied
in the event of the cereals market being disturbedTHE COUNCIL OF THE EUROPEAN
COMMUNITIES,Having regard to the Treaty establishing the
European Economic Community;Having regard to Council Regulation No 120/67/
EEC ⁽¹⁾ of 13 June 1967, on the common
organization of the market in cereals, as last amended
by Regulation (EEC) No 1346/73 ⁽²⁾, and in
particular Article 19 ⁽²⁾ thereof;

Having regard to the proposal from the Commission;

Whereas Article 19 of Regulation No 120/67/EEC
lays down that the necessary measures may be taken
when the cif price of one or more cereals is
appreciably higher than the threshold price;Whereas Council Regulation (EEC) No 1968/73 ⁽³⁾
of 19 July 1973, which defines the general rules to
be applied in the case of the cereals market being
disturbed, laid down measures which may be taken
pursuant to the abovementioned Article 19; whereas
one of the measures which may be taken is the
application of an export levy;Whereas by Regulation (EEC) No 1968/73, the
export levy may be subject to tendering procedures;
whereas, for the purpose of facilitating better market
management there are grounds for envisaging within
the framework of these tendering procedures, the
possibility of retaining a special export levy for a
fixed quantity;Whereas the cif price is among the criteria to be taken
into consideration when fixing an export levy for
basic products; whereas it has become clear that
the cif price, as defined in the provisions governing
the import arrangements, and as used for articulating
the measures outlined in Regulation (EEC) No
1968/73, is not a suitable criterion for dealing with
a deficit situation; whereas, consequently, in order
to continue an export policy which will be adequate
in this situation and will be in accordance with the
requirements of the market, it is necessary that thelevy should be subject solely to the criteria governing
export arrangements;Whereas Regulation (EEC) No 1968/73 for processed
products derived from cereals provides for an export
levy based on the levy for basic products; whereas
such a criterion does not fully take account of the
requirements and characteristics of the market for
these products; whereas it would be advisable for
the criteria for fixing export levies for these products
to be more flexible,

HAS ADOPTED THIS REGULATION:

*Article 1*The text of Article 2 (1) first indent of Regulation
(EEC) No 1968/73 is replaced by the following
text:

- application of an export levy; further a
special levy for an export may be the subject
of a tendering procedure in respect of a fixed
quantity;

*Article 2*Article 3 (1) and (2) of Regulation (EEC) No 1968/73
are replaced by the following:

- 1. The following shall be taken into account
when an export levy is being fixed for products
referred to in Article 1 (a) and (b) of Regulation
No 120/67/EEC:

(a) situation and trends:

- for cereal prices and available quantities
on the Community market;
- for cereal prices and for prices of
products falling within the cereals sector
on the world market;

(b) the objectives of the common organization
of the market in cereals, namely to balance
that market both as regards supplies and
as regards trade;⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.⁽³⁾ OJ No L 201, 21. 7. 1973, p. 10.

- (c) the need to avoid disturbances on the Community market;
- (d) the economic aspect of the exports.

2. The factors referred to in paragraph 1 shall apply when fixing an export levy for the products fixed in Article 1 (c) and (d) of Regulation 120/67/EEC, except for products within tariff headings 11.08 A I, III, IV and V, 11.09 and subheadings 17.02 B II, 17.05 B and 23.03 A I of the Common Customs Tariff. In addition the following specific factors shall be taken into account:

- (a) prices paid for cereals on the various Community markets;
- (b) amount of cereals required to manufacture those products, and, where appropriate, the value of by products;
- (c) possibilities and conditions of sale on the world market of those products.'

Article 3

Article 4 of Regulation (EEC) No 1968/73 is replaced by the following:

'1. Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation No 120/67/EEC.

2. Following the same procedure and for each product

— the decision to institute the measures referred to in Article 2 and to discontinue the measures referred to in the second and third indent of Article 2 (1) shall be taken,

— the export levy shall be fixed at regular intervals.

3. If necessary, the Commission may institute or modify the export levy.'

Article 4

The first subparagraph of Article 5 (1) of Regulation (EEC) No 1968/73 is replaced by the following:

'In an emergency the Commission may take the measures referred to in the third and fourth indents of Article 2 (1). It shall notify its decision to the Member States and shall publish it on the notice boards at its Headquarters.'

The final subparagraph of Article 5 of Regulation (EEC) No 1968/73 shall be replaced by the following:

'The decision on the measures referred to in the third indent of Article 2 (1) shall be applicable for a period not exceeding 7 days.'

Article 5

This Regulation shall enter into force on the 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, 28 September 1973.

For the Council

The President

Ib FREDERIKSEN