REGULATION (EEC) No 3578/73 OF THE COUNCIL

of 28 December 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 Arrangement [1] regarding International Trade in Cotton Textiles 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 Arrangement or possibly to those countries benefiting from generalized preferences which undertake in respect of the Community commitments similar to those existing under that Arrangement and for its duration; whereas, having particular regard to the link which Article 6 of the 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 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that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date;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, moreover, the Conference of Heads of State or of Government of the Member States and the States acceding to the European Communities held in Paris from 19 to 21 October 1972 invited the Community institutions and the Member States progressively to adopt an overall policy of development cooperation on a world-wide scale comprising in particular the improvement of generalized preferences with the aim of achieving a steady increase in imports of manufactures from the developing countries;

Whereas, in accordance with Protocol No 23 to the Act of Accession [2], the generalized tariff preference scheme will be applicable in the new Member States from 1 January 1974;

Whereas for the various categories of textile products in question Council Regulation (EEC) No 3502/73 [3] of 18 December 1973 opening, allocating and providing for the administration of Community tariff quotas for certain textile products originating in developing countries and Council Regulation (EEC) No 3503/73 [4] of 18 December 1973 opening tariff preferences in respect of certain textile products originating in developing countries put into effect the abovementioned offer for 1974 in favour of those developing countries satisfying the conditions outlined above and listed in Annex B to those Regulations; whereas this measure has been taken on a transitional basis, the Commission counting on the countries thus concerned to take measures ensuring that equivalent objectives were respected, at least throughout 1974; whereas Yugoslavia for its part has entered into commitments similar to those made under the Long-term Arrangement; whereas Yugoslavia should, therefore, also be granted the benefit of tariff preferences for the abovementioned textile products and also for 1974; whereas, in order not to affect the advantages which the present beneficiaries enjoy for these products, separate ceilings at zero duty should be opened exclusively for products originating in

[1] OJ No L 225, 12. 10. 1970, p. 29.

[2] OJ No L 73, 27. 3. 1972, p. 14.
[3] OJ No L 358, 28. 12. 1973.
[4] OJ No L 358, 28. 12. 1973.

Yugoslavia; whereas each of these ceilings should under normal conditions be equal to the maximum amount fixed by Regulations (EEC) No 3502/73 and (EEC) No 3503/73 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 these ceilings must be adjusted in order to take account of certain special cases where there are no deliveries from Yugoslavia; whereas these ceilings must be adjusted, however, to take account *inter alia* of certain particular cases where there are no deliveries from Yugoslavia;

Whereas, therefore, in respect of each of the types of products listed in the Annex to this Regulation, the Community should until 31 December 1974 allow duty-free imports up to the Community ceilings indicated opposite each of those classes; whereas the benefit of these tariff quotas should apply only to products originating in Yugoslavia, and the concept of originating products should be 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, 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 abovementioned ceilings as and when the products are entered for home use and are accompanied by a certificate of origin; whereas this form of administration should make it possible to reintroduce 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 normal duties,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1974, subject to Articles 2 and 4 (2), the Common Customs Tariff duties and the tariff duties of the new Member States 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 of the Annex in respect of each of those products.

Ireland is authorized to apply quota duties equal to the duties which it applies to imports of the same products from Member States other than the United Kingdom.

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 concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68.

Article 2

As soon as the ceilings indicated in column 3 of he Annex have been reached at Community level, the normal 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 entered for home use and are 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 filled shall be determined at 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.

[1] OJ No L 148, 28. 6. 1968, p. 1.

2. The Commission shall, by means of a Regulation, reintroduce the levying of normal 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

This Regulation shall enter into force on 1 January 1974.

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

Done at Brussels, 28 December 1973.

For the Council

The President

Ove GULDBERG

ANNEX

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

Order No	CCT heading No	Description	Community ceiling (in metric tons)
	1	(2)	(3)
1	54.05	Woven fabrics of flax or yarn	36
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	15
3		B. Other:	
		I. Measuring, per single yarn, 120 000 m or more per kg	12
4	55.06	Cotton yarn, put up for retail sale	3·5
5	55.07	Cotton gauze	4·5
6	55.08	Terry towelling and similar terry fabrics, of cotton	12
7	55.09	Other woven fabrics of cotton:	
		B. Other	90
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)	80
9	58.10	Embroidery, in the piece, in strips or in motifs	28
10	60.01	Knitted or crocheted fabric, not elastic or rubberized:	15
		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	15
12	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized	45
		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	4·5
14		— Other	4·5
	61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs:	
15		— In cotton fabric	
		— Other	83

Order No	CCT heading No 1	Description 2	Community ceiling (in metric tons) 3
16	ex 61.04	Women's, girls' and infants' under garments, of cotton	51
17	61.05	Handkerchiefs	28
18	62.01	Travelling rugs and blankets:	
		B. Other:	
		I. Of Cotton	15
19	62.03	Sacks and bags, of a kind used for the packing of goods:	81
		B. Of other textile materials:	
		I. Used:	
		ex (b) Other:	
		— In cotton fabric	
		ex II. Other:	
		— In cotton fabric	
20	62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods	90