COUNCIL REGULATION (EEC) No 1642/77

of 18 July 1977

concerning import arrangements for certain textile products originating in Thailand and repealing Regulation (EEC) No 845/77 for Thailand and Regulation (EEC) No 1183/77

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the European Economic Community and the Kingdom of Thailand have negotiated an Agreement on trade in certain textile products within the framework of the Arrangement regarding International Trade in Textiles (1);

Whereas, for the purpose of implementing the Agreement, import arrangements should be adopted for the products in question;

Whereas the Agreement requires the Community to admit imports of certain textile products within quantitative limits, compliance with which will be guaranteed by a system of double checking;

Whereas appropriate provisions applicable in the Community should therefore be adopted for 1977 as well as criteria for the allocation of the quantitative limits agreed with Thailand;

Whereas, in view of the considerable disparities existing between the conditions currently governing imports of the products concerned into the Member States and in view of the particular sensitivity of the Community's textile industry, standardization of these import conditions can only be achieved progressively; whereas one of the criteria to be adopted for the allocation of the Community quantitative limits should therefore be the gradual adjustment of the quantities admitted under current import conditions to market supply requirements;

Whereas, for certain other textile products, the Agreement provides for a consultation procedure enabling safeguard measures to be adopted where there is real risk of market disruption; whereas, in accordance with this procedure, Thailand has undertaken to apply voluntary restraint in respect of exports of certain textile products to certain Member States; whereas compliance with these quantitative limits will be guaranteed by the system of double checking;

(1) OJ No L 118, 30. 4. 1974, p. 2.

Whereas, to this end, quantitative limits should be fixed for imports of these products into the Member States in question and detailed rules laid down for their administration by the Member States;

Whereas imports of goods exported from Thailand in 1977 should be charged against the quantitative limits fixed in the Agreement for that period;

Whereas steps should be taken to ensure that there is no evasion of the objectives of the Agreement by indirect imports of products originating in Thailand;

Whereas the Agreement provides that products which enter the Community's customs territory under inward processing or other temporary admission arrangements and are re-exported from that territory in their original state or after processing should not be charged against the agreed quantitative limits;

Whereas, in view of Article 12 of the Arrangement regarding International Trade in Textiles, on which the abovementioned Agreement is based, the latter does not apply to textile products of silk, flax or ramie;

Whereas this Regulation replaces the temporary measures laid down for Thailand by Council Regulation (EEC) No 845/77 of 25 April 1977 maintaining in force the arrangements for the authorization of imports into France and into the United Kingdom of certain knitted or crocheted undergarments originating in the Republic of the Philippines or the Kingdom of Thailand (2); whereas it also replaces the measures laid down by Council Regulation (EEC) No 1183/77 of 3 June 1977 maintaining the arrangements making the importation into Italy of certain woven fabrics of cotton and certain woven fabrics of synthetic textile fibres originating in the Kingdom of Thailand subject to authorization (3),

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into the Community of the textile products set out in Annex A, originating in Thailand

(2) OJ No L 104, 28. 4. 1977, p. 1.
(3) OJ No L 138, 4. 6. 1977, p. 1.

and exported between 1 January and 31 December 1977, shall be subject to the quantitative limits set out in that Annex.

2. The quantitative limits shall be allocated among the Member States in accordance with the procedure laid down in Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas [1], and in particular in Article 11 thereof, in such a way as to ensure the expansion and orderly development of trade in textiles. However, the allocation shall be made on the basis of the import volumes admitted under the conditions at present applied in the Member States.

3. The importation into the Community of the products referred to in paragraph 1 is hereby made subject to the production of an import document requested by the competent authorities in the Member States concerned. These documents shall be valid for a quantity which shall be such as to ensure that the total volume of imports does not exceed the quantities referred to in paragraph 1.

4. Imports shall be permitted within the limits referred to in paragraph 1, automatically and immediately either upon production of a bill of lading proving that the goods were placed on board in Thailand before 1 June 1977 for export to the Community or upon production by the importer of the original of the export certificate granted by the competent authorities of Thailand containing the details set out in Annex C.

5. Products which enter the Community's customs territory under inward processing or other temporary admission arrangements and are re-exported from that territory in their original state or after processing shall not be charged against the quantitative limits referred to in paragraph 1.

Article 2

1. Without prejudice to paragraphs 2, 3 and 4, imports into the Community of the textile products originating in Thailand which are listed in Annex B shall not be subject to quantitative restrictions.

2. In the Member States listed in Annex B, imports of the textile products referred to in paragraph 1 exported from Thailand between 1 January and 31 December 1977 shall be subject to the quantitative limits set out in that Annex.

3. The quantitative limits referred to in paragraph 2 may be amended in accordance with the procedure laid down in Regulation (EEC) No 1023/70, and in particular in Article 11 thereof.

4. Article 1 (3), (4) and (5) shall apply to the quantitative limits referred to in this Article.

Article 3

Imports into the Community of certain traditional Thai hand-made textile products, originating in Thailand and accompanied by a certificate conforming to the provisions of Annex D shall not be subject to quantitative restrictions.

The admission of these products into the Community without any quantitative restrictions shall be subject to the satisfactory operation of the above system of certificates.

The Commission shall define the products in question, in accordance with the description given in the framework of the Agreement on trade in certain textile products negotiated with Thailand.

Article 4

Those provisions of Regulation (EEC) No 845/77 which concern Thailand and Regulation (EEC) No 1183/77 are hereby repealed.

Article 5

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, 18 July 1977.

For the Council

The President

A. HUMBLET

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[1] OJ No L 124, 8. 6. 1970, p. 1.

ANNEX A

Quantitative limits referred to in Article 1

Category	CCT heading No	NIMEXE code (1977)	Description	Quantitative limits in 1 000 kgs (1977)
1	55.09	all	Other woven fabrics of cotton	14 052
	56.07	all	Woven fabrics of man-made fibres (discontinuous or waste) : A. Of synthetic textile fibres	
1 A (1)	ex 55.09	55.09-03 ; 04 ; 05 ; 51 ; 52 ; 53 ; 54 ; 55 ; 56 ; 57 ; 59 ; 61 ; 63 ; 64 ; 65 ; 66 ; 67 ; 69 ; ex 71 ; 81 ; 82 ; 83 ; 84 ; 86 ; 87 ; 92 ; 93 ; 97	Other woven fabrics of cotton : — Other than unbleached or bleached	3 811
	56.07	56.07-ex 01 ; 05 ; 07 ; 08 ; 13 ; 14 ; 16 ; 18 ; 21 ; 23 ; 26 ; 27 ; 28 ; 33 ; 34 ; 36	Woven fabrics of man-made fibres (discontinuous or waste) : ex A. Of synthetic textile fibres : — Other than unbleached or bleached	

(1) Category 1 A is a subcategory within category 1 and the quantitative limits for category 1 A are sublimits within the overall limits for category 1.

ANNEX B

Quantitative limits referred to in Article 2

Category No	CCT heading No	NIMEXE code (1977)	Description	Units	Regions covered	Quantitative limits (1977)
2	ex 60.04	60.04-ex 11 ; 13 ; ex 19 ; ex 29 ; 41 ; ex 49 ; ex 59 ; ex 70 ; ex 80	Under garments, knitted or crocheted, not elastic nor rubberised : — Shirts, T-shirts, rollneck undershirts, singlets and similar articles other than of silk or noil or other waste silk or of flax or ramie	1 000 items	France United Kingdom	1 450 1 400
3	60.05	60.05-01 ; 22 ; 23 ; 26 ; 27 ; 29 ; 31 ; 32 ; 35 ; 37 ; 39	Outer garments and other articles, knitted or crocheted, not elastic nor rubberised : ex A. Outer garments and clothing accessories : — Jerseys, pull-overs, slip-overs, twinsets, cardigans, bed-jackets and jumpers, other than of silk or noil or other waste silk or of flax or ramie	1 000 items	Denmark Germany Ireland United Kingdom	408 2 475 38 2 672
4	ex 60.04	60.04-ex 11 ; 13 ; ex 19 ; ex 29 ; 41 ; ex 49 ; ex 59 ; ex 70 ; ex 80	Under garments, knitted or crocheted, not elastic nor rubberised : — Shirts, T-shirts, rollneck undershirts, singlets and similar articles, other than of silk or noil or other waste silk or of flax or ramie	1 000 items	Benelux	1 050
	60.05	60.05-01 ; 22 ; 23 ; 26 ; 27 ; 29 ; 31 ; 32 ; 35 ; 37 ; 39	Outer garments and other articles, knitted or crocheted, not elastic nor rubberised : ex A. Outer garments and clothing accessories : — Jerseys, pull-overs, slip-overs, twinsets, cardigans, bed-jackets and jumpers, other than of silk or noil or other waste silk or of flax or ramie			

ANNEX C

Details referred to in Article 1 (4)

The export certificates issued by the competent authorities of Thailand (1) for products covered by this Regulation shall specify or contain :

1. the destination, and in particular the Member State for which the goods are intended ;
2. the serial number ;
3. the name and address of the importer ;
4. the name and address of the exporter ;
5. the quantity, in the units specified in Annexes A and B and, for quantities expressed in units other than weight, the equivalent weight calculated on the basis of the table of equivalences below ;
6. the category against which the products have been charged by the competent authorities of Thailand and the description of the products ;
7. a declaration to the effect that the quantity in question has been charged against the share of the Member State for which the goods are intended of the agreed ceiling for exports to the Community, or, where appropriate, that the quantity is intended for re-export from the Community in the original state or after processing.

(1) Department of Foreign Trade, Ministry of Commerce.

TABLE OF EQUIVALENCES

CCT heading No	Description	Rate of equivalence
ex 60.04	— Shirts, T-shirts, rollneck undershirts, knitted or crocheted — Singlets, knitted or crocheted	6·4 items/kg 12·8 items/kg
ex 60.05	— Jerseys, pull-overs, slip-overs, twin-sets, cardigans, bed-jackets and jumpers, knitted or crocheted	5·18 items/kg

ANNEX D

Certificate referred to in Article 3

The certificate issued by the competent authorities of Thailand for the products referred to in Article 3 shall contain :

1. the following heading :

   'Certificate relating to the traditional Thai hand-made textile products referred to in Article 3 of the Agreement between the EEC and Thailand on trade in certain textile products' ;

2. name and address of the manufacturer ;

3. name and address of the exporter ;

4. name and address of the importer in the Community ;

5. description of goods ;

6. quantity (in kg or items) ;

7. name of vessel or flight number ;

8. port or airport of destination ;

9. the following declaration :

   'This document is to certify that the above shipment consists of traditional Thai hand-made textile products, woven, cut, sewn or otherwise fabricated by hand, by units of the cottage industry.'