COUNCIL REGULATION (EEC) No 3158/78

of 29 December 1978

opening tariff preferences in the form of a suspension of customs duties for jute manufactures originating in India, Thailand and Bangladesh and for coir manufactures originating in India and Sri Lanka

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the Economic and Social Committee (2),

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 Common Customs Tariff which originate in developing countries;

Whereas the offer made by the Community includes a clause stating 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that this offer, while being of a temporary nature, does not constitute a binding commitment and, in particular, may be withdrawn wholly or in part at a later date; whereas this possibility may be adopted *inter alia* with a view to remedying any unfavourable situations which might arise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 ACP States following the implementation of the generalized preference scheme;

Whereas, however, as regards jute and coir products, the said offer includes the elimination of customs duties only where special arrangements have been made with the developing exporting countries;

Whereas the Agreements concluded between the Community and India on jute and coir manufactures expired on 31 December 1975; whereas pending the conclusion of a new Agreement with this country and with particular reference to terms enabling the special arrangements referred to above to be put into effect, the Community has considered that it is advisable in general to extend for 1976 the preferential tariff scheme which was in force for 1975; whereas the same scheme has also been for Bangladesh but exclusively for its jute products, whose situation is appreciably the same as that described above; whereas for 1977, on the basis of the negotiations with India and Bangladesh, new tariff suspensions have been applied, as in respect of Thailand and Sri Lanka;

Whereas, under the Agreements concluded between the Community and India of the one part and Bangladesh of the other, duties were completely suspended for the second half of 1978; whereas in view of the *ad hoc* measures agreed between the Community and Sri Lanka in respect of coir manufactures and between the Community and Thailand in respect of jute manufactures, an equivalent preferential tariff scheme may be adopted as regards these two countries;

Whereas, in accordance with Protocol 23 to the Act of Accession (3), the generalized tariff preference scheme became fully applicable in the new Member States on 1 January 1974;

Whereas the benefit of these suspensions should be restricted to the said products originating in India, Bangladesh, Thailand and Sri Lanka, the concept of 'originating products' being 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 (4),

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1979, Common Customs Tariff duties on the products listed below shall

(1) Opinion delivered on 15. 12. 1978 (not yet published in the Official Journal).
(2) Opinion delivered on 29. 11. 1978 (not yet published in the Official Journal).
(3) OJ No L 73, 27. 3. 1972, p. 14.
(4) OJ No L 148, 28. 6. 1968, p. 1.

CCT heading No	Description	Preferential rate of duty %
57.06	Yarn of jute or of other textile bast fibres of heading No 57.03	0
57.10	Woven fabrics of jute or of other textile bast fibres of heading No 57.03:	
	A. Of a width of not more than 150 cm and weighing per m^2:	
	I. Less than 310 g	0
	II. Not less than 310 g but not more than 500 g	0
	III. More than 500 g	0
	B. Of a width of more than 150 cm	0
58.02	Other carpets, carpeting, rugs, mats and matting and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not):	
	A. Carpets, carpeting, rugs, mats and matting:	
	ex I. Coir mats and matting, and tufted carpets of jute or of other textile bast fibres of heading No 57.03 and of coir	0
	ex II. Carpets, carpeting, rugs, mats and matting, of jute or of other textile bast fibres of heading No 57.03	0
ex 58.05	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, of jute or of other textile bast fibres of heading No 57.03, other than goods falling within heading No 58.06	0
ex 59.04	Twine, cordage, ropes and cables, plaited or not, of jute or of other textile bast fibres of heading No 57.03	0
62.03	Sacks and bags, of a kind used for the packing of goods:	
	A. Of jute or of other textile bast fibres of heading No 57.03:	
	II. Other:	
	a) Of fabric weighing less than 310 g/m^2	0
	b) Of fabric weighing not less than 310 g/m^2 but not more than 500 g/m^2	0
	c) Of fabric weighing more than 500 g/m^2	0

be suspended at the preferential rates indicated for each of them.

2. The benefit of the suspensions referred to in paragraph 1 shall be restricted to products originating in India until 31 December 1979. Products originating in Bangladesh and Thailand, except coir mats and matting and tufted carpets of coir, shall also benefit from these suspensions. Coir mats and matting and tufted carpets of coir originating in Sri Lanka shall also benefit from the suspensions. 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

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

2. The Member States shall, on request, inform the Commission of imports benefiting under the preceding provisions.

Article 3

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 29 December 1978.

For the Council

The President

H.-D. GENSCHER