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*(Acts whose publication is obligatory)*

# COUNCIL REGULATION (EEC) No 1261/88

## of 3 May 1988

## applying supplementary generalized tariff preferences in respect of certain industrial products originating in devolopment countries and sold at the Berlin 'Partners in Progress' fair

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 overseas imports fair 'Partners in Progress' is organized every year in Berlin with a view to improving the access to world markets of products originating in developing countries ;

Whereas, in view of the specific features of the Berlin Fair and of the unique situation of Berlin, certain measures should be taken in the field of generalized preferences ;

Whereas, in accordance with the offer made in the context of the United Nations Conference on Trade and Development (UNCTAD), the Community opened generalized preferences commencing in 1971 and most recently under Regulations (EEC) No 3635/87 (1) and (EEC) No 3782/87 (2), and in particular in respect of finished and semi-finished industrial and textile products originating in developing countries ;

Whereas, in the past, certain products covered by the system of quotas, ceilings or other tariff measures, being the subject of contracts for sale in the course of the Berlin Fair, have not been able to benefit from the preferences, the allocated tariff quotas or fixed duty-free amounts having been used up or the collection of customs duties having been re-established for products subject to ceiling limits before the opening date of the fair ; whereas it is important to provide additional latitude to developing countries to enable them to benefit from the generalized tariff preference for products being the subject of contracts for sale at the fair ; whereas, however, this latitude should be limited to 6 % of the levels of the tariff measures applicable for each product or group of products under the abovementioned annual Regulations, and should be opened ;

(1) OJ No L 350, 12. 12. 1987, p. 1.
(2) OJ No L 367, 28. 12. 1987, p. 1.

Whereas, without prejudice to the specific provisions of this Regulation, the application of the provisions of the annual Regulations regarding generalized tariff preferences and, in particular, in respect of the beneficiary countries and the concept of originating products should be applied to the supplementary preferences in question ;

Whereas it is appropriate, however, to exclude from the scope of this Regulation certain products originating in particular beneficiary countries ;

Whereas declarations of release into free circulation submitted with a view to the importation of the products in question should be accompanied by the certificate of origin and the contract concluded at the Berlin Fair, the latter certified by the competent German authorities ;

Whereas the German authorities must ensure that certification of the contracts concluded at the Berlin Fair do not exceed the authorized supplemantary quantities ;

Whereas the method of administration adopted requires close and particularly rapid cooperation between Member States and the Commission,

Whereas the generalized preferences have been suspended for products originating in the Republic of Korea by Regulation (EEC) No 3912/87 (3),

HAS ADOPTED THIS REGULATION :

*Article 1*

1. From 30 August 1988 to 30 June 1989 supplementary Community tariff preferences shall be opened subject to Article 4 for the importation of products :

— mentioned in Annex I to Regulation (EEC) No 3635/87, or

— mentioned in Annexes I and II to Regulation (EEC) No 3782/87,

(3) OJ No L 369, 29. 12. 1987, p. 1.

provided these products originate in one of the countries or territories benefiting from the preferences referred to in the Annexes to those Regulations and have been exhibited by the exporting countries at the Berlin 'Partners in Progress' Fair and they have been the subjet of sales contracts, except for products originating in the Republic of Korea.

2. The supplementary preferences referred to in paragraph 1 shall be 6 % of the quota, ceiling or fixed duty-free amounts fixed for each product or group of products in Regulations (EEC) No 3635/87 and (EEC) No 3782/87.

3. Within the framework of the supplementary preferences referred to in paragraph 1, the Common Customs Tariff duties shall be totally suspended. Application of the tariff preferences shall be subject to submission of a certificate of origin, Form A, and the contract.

4. Within the limits of the supplementary preferences referred to in paragraph 1, the Kingdom of Spain and the Portuguese Republic shall apply customs duties conforming to the relevant provisions of the Act of Accession, and the relevant Regulations.

*Article 2*

1. Declarations of the release into free circulation of the products in question accompanied by the certificate of origin and by the contract concluded at the Berlin Fair, the latter certified by the competent German authorities.

2. The German authorities shall ensure that the total amount covered by certified contracts does not exceed the limit fixed in Article 1 (2).

*Article 3*

Those provisions of Regulations (EEC) No 3635/87 and (EEC) No 3782/87 relating to the application of generalized tariff preferences which concern beneficiary countries and the concept of originating products shall be applicable.

*Article 4*

This following shall be excluded from the benefits afforded by this Regulation :

— textile products falling within categories 1, 2, 3, 4, 5, 6, 7 and 8 appearing in Annex I to Regulation (EEC) No 3782/87 and originating in countries subject to the Community tariff quotas allocated as indicated in the said Annex,

— products appearing in Annex I to this Regulation and originating in countries indicated in column 4,

— industrial products appearing in Annex II to this Regulation and originating in countries which are subject to a quota for those products under Regulation (EEC) No 3635/87.

*Article 5*

The German authorities shall forward to the Commission, not more than seven days after the end of the Berlin Fair, a list of certified contracts indicating the nature and value or the quantity, whichever is appropriate, of the goods in question and the names and addresses of the exporters and importers. The Commission shall send a copy of this list to the authorities of the other Member States.

*Article 6*

Member States shall forward to the Commission, within two weeks following the end of each quarter, the list of the amounts charged during the reference quarter in accordance with the provisions of this Regulation.

*Article 7*

Member States and the Commission shall cooperate closely to ensure compliance with this Regulation.

*Article 8*

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, 3 May 1988.

*For the Council*

*The President*

M. BANGEMANN

*ANNEX*

**List of products/countries excluded from the benefits afforded by this Regulation for industrial products (other than textiles)**

| Order No | CN code | Description | Countries concerned |
|---|---|---|---|
| 10.0120 | 2905 11 00 | Methanol | Libya |
| 10.0240 | 2921 19 30 | Isopropylamine and its salts | Romania |
| 10.0260 | 2922 42 00 | Glutamic acid and its salts | South Korea |
| 10.0400 | 3102 10 10 | Urea containing more than 45 % by weight of nitrogen on the dry anhydrous product | Libya |
| 10.0500 | 4011 40 00<br>4011 50 10<br>4011 50 90<br><br>4013 20 00<br>4013 90 10 | New pneumatic tyres and inner tubes of rubber of a kind used on bicycles and motorcycles (including tyre flaps and tyre cases with sewn-in inner tubes for racing bicycles) | South Korea |
| 10.0510 | 4011 10 00<br>4011 20 00<br>4011 30 90<br>4011 99 00<br><br>4012 10 90<br>4012 90 10<br>4012 90 90<br><br>4013 10 10<br>4013 10 90<br>4013 90 90 | Other new pneumatic tyres and inner tubes of rubber | South Korea |
| 10.0520 | 4104 10 95<br>4104 10 99<br>4104 31 11<br>4104 31 19<br>4104 31 30<br>4104 31 90<br>4104 39 10<br>4104 39 90 | Leather of bovine or equine animals, without hair on, other than leather of code 4108 or 4109 | Brazil |
| 10.0570 | 4202 11 10<br>4202 11 90<br>4202 12 91<br>4202 12 99<br>4202 19 91<br>4202 19 99<br>4202 21 00<br>4202 22 90<br>4202 29 00<br>4202 31 00<br>4202 32 90<br>4202 39 00<br>4202 91 10<br>4202 91 50<br>4202 91 90<br>4202 92 91<br>4202 92 95<br>4202 92 99<br>4202 99 10<br>4202 99 90 | Trunks, suit-cases, vanity cases, executive cases, brief cases, school satchels and similar containers :<br>— With outer surface of leather, of composition leather or of patent leather<br>— With outer surface of plastics or of textile materials | South Korea<br>Hong Kong |
| 10.0580 | 4203 10 00<br>4203 21 00<br>4203 29 91<br>4203 29 99<br>4203 30 00<br>4203 40 00 | Articles of apparel and clothing accessories, of leather or of composition leather, excluding gloves, mittens and mitts, protective for all trades | South Korea |
| 10.0590 | 4203 29 10 | Articles of apparel and clothing accessories, of leather or composition leather | Hong Kong |

| Order No | CN code | Description | Countries concerned |
|---|---|---|---|
| 10.0660 | 6401 | Waterproof footwear with outer soles and uppers of rubber or of plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes | South Korea<br>Hong Kong |
| | 6402<br>(*) (**) | Other footwear with outer soles and uppers of rubber or plastics | |
| 10.0670 | 6403<br>(*) (**) | Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather | Brazil<br>South Korea |
| 10.0680 | 6404 | Footwear with outer soles of rubber, plastics, leather or composition leather, and uppers of textile materials | Hong Kong<br>South Korea |
| | 6405 90 10<br>(*) (**) | Other footwear with outer soles of rubber, of plastics, of leather or of composition leather | |
| 10.0800 | 7117 19 10<br>7117 19 91<br>7117 19 99<br>ex 7117 90 00 | Imitation jewellery :<br>— Of base metal, whether or not plated with precious metal :<br>— — Others<br>— Others excluding imitation jewellery of leather or composition leather or of wood | Hong Kong |
| 10.0870 | 7312 10 30<br>7312 10 50<br>7312 10 71<br>7312 10 75<br>7312 10 79<br>7312 10 91<br>7312 10 95<br>7312 10 99<br>7312 90 90 | Stranded wire, ropes, cables, plaited bands, slings and the like, of iron or steel, not electrically insulated | South Korea |
| 10.0950 | 8211 10 00<br>8211 91 90<br>8211 92 90<br>8211 93 90 | Knives with cutting blades, serrated or not (including pruning knives) other than knives of code 8208, excluding knives with handles of base metal | South Korea |
| 10.1055 | 8528 10 40<br>8528 10 50<br>8528 10 71<br>8528 10 73<br>8528 10 79 | Television receivers (including video monitors and video projectors) whether or not combined in the same housing, with radio-broadcast receivers or sound on video recording or reproducing apparatus. Colour television receivers, with integral tube | South Korea<br>Hong Kong<br>Singapore |
| 10.1060 | 8527 11 10<br>8527 11 90<br>8527 21 10<br>8527 21 90<br>8527 29 00<br>8527 31 10<br>8527 31 91<br>8527 31 99<br>8527 32 00<br>8527 39 10<br>8527 39 91<br>8527 39 99<br>8527 90 91<br>8527 90 99 | Reception apparatus for radio-telephony, radio-telegraphy or radio-broadcasting, whether or not combined in the same housing with recording or reproducing apparatus or a clock | South Korea<br>Singapore<br>Hong Kong |
| 10.1060 | 8528 10 91<br>8528 10 99<br>8528 20 10<br>8528 20 71<br>8528 20 73<br>8528 20 79<br>8528 20 90 | Television receivers (including video monitors and video projectors) | South Korea<br>Singapore<br>Hong Kong |
| | 8529 10 20<br>8529 10 31<br>8529 10 39<br>8529 10 40<br>8529 10 50<br>8529 10 70<br>8529 10 90<br>8529 90 90 | Parts suitable for use solely or principally with the apparatus of codes 8525 to 8528 excluding cabinets and cases | |

| Order No | CN code | Description | Countries concerned |
|---|---|---|---|
| 10.1110 | 8540 91 00<br>8540 99 00 | Thermionic, cold cathode or photocathode valves and tubes :<br>– Parts | Hong Kong<br>Singapore |
| | 8541 10 10<br>8541 10 91<br>8541 10 99<br>8541 21 10<br>8541 21 90<br>8541 29 10<br>8541 29 90<br>8541 30 10<br>8541 30 90<br>8541 40 10<br>8541 50 10<br>8541 50 90<br>8541 90 00 | Diodes, transistors, and similar semiconductor devices, light emitting diodes | |
| | 8542 11 10<br>8542 11 30<br>8542 11 71<br>8542 11 75<br>8542 11 91<br>8542 11 99<br>8542 19 10<br>8542 19 20<br>8542 19 30<br>8542 19 50<br>8542 19 70<br>8542 19 90<br>8542 20 00<br>8542 80 00<br>8542 90 00 | Electric integrated circuits and micro-assemblies | |
| 10.1160 | ex 9101 11 00<br>ex 9101 12 00<br>ex 9101 19 00<br>ex 9101 91 00 | Wrist-watches, pocket-watches and other watches, including stop-watches, with case of precious metal or clad with precious metal :<br>– Wrist-watches, battery or accumulator powered, whether or not incorporating a stop-watch facility :<br>– – Quartz watches<br>– Other :<br>– – Battery or accumulator powered :<br>– – – Quartz watches | Hong Kong |
| | ex 9102 11 00<br>ex 9102 12 00<br>ex 9102 19 00<br>ex 9102 91 00 | Wrist-watches, pocket-watches and other watches, including stop-watches, other than those of heading No 9101 :<br>– Wrist-watches, battery or accumulator powered, whether or not incorporating a stop-watch facility :<br>– – Quartz watches<br>– Other :<br>– – Battery or accumulator powered :<br>– – – Quartz watches | |
| 10.1180 | 9105 | Other clocks | Hong Kong |
| 10.1200 | 9111 | Watch cases and parts thereof | Hong Kong |
| 10.1210 | 9201 10 10 | Upright pianos, new | South Korea |
| 10.1300 | 9503 | Other toys, reduced size (scale) models and similar recreational models, working or not, puzzles of all sorts | Hong Kong |
| 10.1280 | 9603 29 10<br>9603 29 30<br>9603 29 90 | Shaving brushes, hairbrushes, nailbrushes, eyelash brushes, and other toilet brushes for use on the person, including such brooms constituting parts of appliances | South Korea |
| | 9603 30 10<br>9603 30 90<br>9603 40 10 | Artists' brushes, writing brushes and similar brushes, for the application of cosmetics | |
| | 9603 90 91 | Paint, distemper, varnish or similar brushes, road-sweeping brushes, household type brooms and brushes, including shoe brushes, and clothes brushes, and brushes for grooming animals | |

(*) The benefit of these preferences is not granted to products marked with an asterisk and originating in Romania.
(**) The benefit of these preferences is not granted to products marked with two asterisks and originating in China.

**List of products/countries excluded from the benefits afforded by this Regulation for the textile sector**

| Order No | Category | Description | Countries concerned |
|---|---|---|---|
| 40.0010 | 1 | Cotton yarn not put up for retail sale | Brazil |
| 40.0020 | 2 | Woven fabrics of cotton, other than gauze | China |
| 40.0033 | 3 | Woven fabrics of synthetics fibres (staple) | Hong Kong |
| 40.0040 | 4 | Shirts, T-shirts | Hong Kong |
| 40.0050 | 5 | Jerseys, pullovers, anoraks | South Korea<br>Hong Kong |
| 40.0060 | 6 | Men's or boys' woven breeches, shorts | Hong Kong |
| 40.0070 | 7 | Womens' or girls' blouses, shirts | Hong Kong |
| 40.0080 | 8 | Men's or boys' shirts | South Korea<br>Hong Kong |
| 40.0090 | 9 | Terry towelling and similar woven terry fabrics of cotton | Brazil |
| 40.0100 | 10 | Gloves, mittens and mitts | Hong Kong |
| 40.0120 | 12 | Panty-hose, stockings, under stockings | South Korea |
| 40.0130 | 13 | Men's or boys' underpants | Hong Kong |
| 40.0140 | 14 | Men's or boys' woven overcoats, raincoats | South Korea |
| 40.0150 | 15 | Women's or girls' woven overcoats | South Korea<br>Romania |
| 40.0160 | 16 | Men's or boys' suits | China<br>Hong Kong<br>Romania |
| 40.0180 | 18 | Men's or boys' and women's or girls' singlets and other vests | Hong Kong<br>Macao |
| 40.0190 | 19 | Handkerchiefs | China<br>Macao |
| 40.0210 | 21 | Parkas, anoraks | South Korea<br>Hong Kong |
| 40.0220 | 22 | Yarn of staple or waste synthetic fibres not put up for retail sale | South Korea |
| 40.0230 | 23 | Yarn of staple or waste artificial fibres not put up for retail sale | China |
| 40.0240 | 24 | Nightshirts, nightdresses, pyjamas | Hong Kong |
| 40.0260 | 26 | Women's or girls' dresses | Hong Kong |
| 40.0270 | 27 | Skirts | Hong Kong |
| 40.0280 | 28 | Trousers, bib and brace overalls | Hong Kong |
| 40.0290 | 29 | Women's or girls' suits | Hong Kong |
| 40.0300 | 31 | Brassières | Hong Kong |
| 40.0320 | 32 | Woven pile fabrics and chenille fabrics | Hong Kong |
| 40.0330 | 33 | Woven fabrics of synthetic filament yarn | China |

| Order No | Category | Description | Countries concerned |
|---|---|---|---|
| 40.0350 | 35 | Woven fabrics of synthetic fibres (continous) | South Korea |
| 40.0370 | 37 | Woven fabrics of artificial staple fibres | China<br>South Korea |
| 40.0390 | 39 | Table linen, toilet and kitchen linen | China |
| 40.0550 | 55 | Synthetic staple fibres | Romania |
| 40.0600 | 60 | Tapestries, hand-made | China |
| 40.0610 | 61 | Narrow woven fabrics | Hong Kong |
| 40.0620 | 62 | Chenille yarn, labels, braids | South Korea |
| 40.0670 | 67 | Knitted or crocheted clothing accessories other than for babies | China |
| 40.0680 | 68 | Babies' garments and clothing accessories | Hong Kong |
| 40.0690 | 69 | Women's and girls' slips and petticoats | South Korea<br>Romania |
| 40.0700 | 70 | Panty-hose, women's stockings | Romania |
| 40.0720 | 72 | Swimwear | Hong Kong |
| 40.0740 | 74 | Women's or girls' suits | Hong Kong<br>Macao |
| 40.0750 | 75 | Men's or boy's suits | Macao |
| 40.0770 | 77 | Ski suits | South Korea<br>Hong Kong |
| 40.0780 | 78 | Garments, other than knitted or crocheted | South Korea<br>Hong Kong |
| 40.0830 | 83 | Overcoats, jackets, blazers | Hong Kong |
| 40.0850 | 85 | Ties | Hong Kong |
| 40.0860 | 86 | Corsets | South Korea<br>Hong Kong |
| 40.0870 | 87 | Gloves | China<br>Hong Kong |
| 40.0880 | 88 | Stockings, socks | Hong Kong |
| 40.0910 | 91 | Tents | South Korea |
| 40.0930 | 93 | Sacks and bags | China |
| 40.0970 | 97 | Nets | South Korea |
| 40.1090 | 109 | Tarpaulins, sails, awnings and sun-blinds | Hong Kong |
| 40.1100 | 110 | Woven pneumatic matresses | China |
| 40.1110 | 111 | Camping goods | China |
| 40.1130 | 113 | Floor cloths, dish cloths | China |

*ANNEX II*

**List of products subject to a quota in Regulation (EEC) No 3635/87 and excluded from the benefits afforded by this Regulation**

| Order No | CN code | Description | Countries concerned |
|---|---|---|---|
| 10.0440 | 3806 10 10 | Rosin obtained from fresh deonesin | China |
| 10.0480 | 3923 21 00 | Sacks and bags (including cases)<br>— Of polymene of ethylene | South Korea, Hong Kong, Singapore |
| 10.0570 | 4202 11 10<br>4202 11 90<br>4202 12 91<br>4202 12 99<br>4202 19 91<br>4202 19 99<br>4202 21 00<br>4202 22 90<br>4202 29 00<br>4202 31 00<br>4202 32 90<br>4202 39 00<br>4202 91 10<br>4202 91 50<br>4202 91 90<br>4202 92 91<br>4202 92 95<br>4202 92 99<br>4202 99 10<br>4202 99 90 | Trunks, suit-cases, vanity cases, executive cases, brief cases, school satchels and similar containers :<br>— With outer surface of leather, of composition leather or of patent leather<br>— With outer surface of plastics or of textile materials | Brazil, China |
| 10.0630 | 4412<br><br>4420 90 10<br>(*) | Plywood, veneered panels and similar laminated wood<br><br>Wood marquetry and inlaid wood | Brazil, South Korea, Indonesia, Singapore, Philippines, Malaysia |
| 10.0670 | 6403<br>(*) (**) | Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather | Hong Kong |
| 10.0690 | 6405 10 90<br>6405 20 91<br>6405 20 99<br>6405 90 90<br>(*) | Other footwear with outer soles of other materials | China |
| 10.0700 | 6601 | Umbrellas and sun umbrellas (including walking-stick umbrellas, garden umbrellas and similar umbrellas) | Hong Kong |
| 10.0710 | 6908 | Glazed ceramic flags and paving, hearth or wall tiles ; glazed ceramic mosaic cubes and the like, whether or not on a backing | South Korea, Thailand |
| 10.0950 | 8211 10 00<br>8211 91 90<br>8211 92 90<br>8211 93 90 | Knives with cutting blades, serrated or not (including pruning knives), other than knives of code 8208, excluding knives with handles of base metal | Hong Kong |

| Order No | CN code | Description | Countries concerned |
|---|---|---|---|
| 10.0980 | 8414 10 30<br>8414 10 50<br>8414 10 90<br>8414 20 91<br>8414 20 99<br>8414 30 30<br>8414 30 91<br>8414 30 99<br>8414 40 10<br>8414 40 90<br>8414 80 21<br>8414 80 29<br>8414 80 31<br>8414 80 39<br>8414 80 41<br>8414 80 49<br>8414 80 60<br>8414 80 71<br>8414 80 79<br>8414 80 90 | Pumps and compressors<br>Hand or foot-operated air pumps for cycles and similar articles :<br>— Other pumps and compressors | Brazil, Singapore |
| 10.0990 | 8452 10 11<br>8452 10 19<br>8452 10 90<br>8452 21 00<br>8452 29 00 | Sewing machines, other than book-sewing machines of code 8440 | Brazil |
| 10.1052 | 8521<br>8528 10 11<br>8528 10 19<br>8528 10 30 | Video recording or reproducing apparatus | South Korea |
| 10.1094 | 8540 11 10<br>8540 11 30<br>8540 11 90 | Cathode-ray television picture tubes, including video monitor cathode-ray tubes :<br>— Colour | South Korea |

(*) The benefit of these preferences is not granted to products marked with an asterisk and originating in Romania.
(**) The benefit of these preferences is not granted to products marked with two asterisks and originating in China.