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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1270/89

of 3 May 1989

applying supplementary generalized tariff preferences in respect of certain industrial products originating in developing 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 4257/88 (1) and No 4259/88 (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;

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 supplementary quantities;

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

Whereas the generalized preferences have been suspended for products originating in the Republic of Korea by Regulations (EEC) No 4257/88 and (EEC) No 4259/88,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 27 September 1989 to 31 December 1990, supplementary Community tariff preferences shall be opened, subject to Article 4, for the importation of products:

— mentioned in Annex I to Regulation (EEC) No 4257/88, or

— mentioned in Annexes I and II to Regulation (EEC) No 4259/88,

(1) OJ No L 375, 31. 12. 1988, p. 1.
(2) OJ No L 375, 31. 12. 1988, p. 83.

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 subject of sales contracts, except for products originating in the Republic of Korea, for which the preferences are suspended.

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 4257/88 and (EEC) No 4259/88.

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 4257/88 and (EEC) No 4259/88 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 4259/88 and originating in countries subject to the Community tariff quotas allocated as indicated in the said Annex,

— products appearing in the Annex to this Regulation and originating in the countries indicated.

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 1989.

For the Council

The President

P. SOLBES

ANNEX

List of products/countries excluded from the benefit of this Regulation

Order No	CN code	Description	Country concerned
10.0110	2902 50 00	Styrene	Saudi Arabia
10.0120	2905 11 00	Methanol	Saudi Arabia
10.0140	2905 31 00	Ethylene glycol (ethanediol)	Saudi Arabia
10.0160	2909 41 00	2,2'-Oxydiethanol (diethylene-glycol)	Saudi Arabia
10.0240	2921 19 30	Isopropylamine and its salts	Romania
10.0315	2933 61 00	Melamin	Saudi Arabia
10.0400	3102 10 10	Urea containing more than 45 % by weight of nitrogen on the dry anhydrous product	Libya
10.0440	3806 10 10	Resin, obtained from fresh oleoresins	China
10.0453	3901 10 10	Linear polyethylene having a specific gravity of less than 0,94	Saudi Arabia
10.0455	3901 20 00	Polyethylene having a specific gravity of 0,94 or more	Saudi Arabia
10.0480	3923 21 00	Sacks and bags (including cones): – Of polymers of ethylene	Hong Kong Singapore
10.0520	4104 10 95 4104 10 99 4104 31 11 4104 31 19 4104 31 30 4104 31 90 4104 39 10 4104 39 90	Leather of bovine or equine animals, without hair on, other than leather of heading No 4108 oder 4109 – Whole bovine skin leather, of a unit surface area not exceeding 28 square feet (2,6 m²) – – Other – – – Otherwise prepared – Other bovine leather and equine leather, parchment-dressed or prepared after lanning	Brazil
10.0570	4202 11 10 4202 11 90 4202 12 91 4202 12 99 4202 19 91 4202 19 99 4202 21 00 4202 22 90 4202 29 00 4202 31 00 4202 32 90 4202 39 00 4202 91 10 4202 91 50 4202 91 90 4202 92 91 4202 92 95 4202 92 99 4202 99 10 4202 99 90	Trunks, suit-cases, vanity cases, executive cases, brief cases, school satchels and similar containers – With outer surface of leather, of composition leather or of patent leather – With outer surface of plastics or of textile materials – – Of other materials, including vulcanized fibre – – Other of other materials Articles of a kind normally carried in the pocket or in the handbag – With outer surface of leather, of composition leather or of patent leather – With outer surface of plastic sheeting or of textile materials – – Of textile materials – – – Other Other – With outer surface of leather, of composition leather or of patent leather – With outer surface of plastic sheeting or of textile materials – Other – – Musical instrument cases – – – Other	Brazil China Hong Kong

Order No	CN code	Description	Country concerned
10.0630	4412 4420 90 10 (1)	Plywood, veneered panels and similar laminated wood Wood marquetry and inlaid wood	Brazil Singapore Malaysia Indonesia
10.0660	6401 6402	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 Other footwear with outer soles and uppers of rubber or plastics	Hong Kong
10.0670	6403	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather	Brazil Hong Kong
10.0680	6404 6405 90 10	Footwear with outer soles of rubber, plastics, leather or composition leather, and uppers of textiles materials Other footwear, with outer soles of rubber, of plastics, of leather or of composition leather	Hong Kong
10.0690	6405 10 90 6405 20 91 6405 20 99 6405 90 90 (1)	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
10.0950	8211 10 00 8211 91 90 8211 92 90 8211 93 90	Knives with cutting blades, serrated or not (including pruning knives), other than knives of heading No 8208, excluding knives with handles of base metal	Hong Kong
10.0980	8414 10 30 8414 10 50 8414 10 90 8414 20 91 8414 20 99 8414 30 30 8414 30 91 8414 30 99 8414 40 10 8414 40 90 8414 80 21 8414 80 29 8414 80 31 8414 80 39 8414 80 41 8414 80 49 8414 80 60 8414 80 71 8414 80 79 8414 80 90	Pumps and compressors	Brazil Singapore
10.0990	8452 10 11 8452 10 19 8452 10 90 8452 21 00 8452 29 00	Sewing machines, other than book-sewing machines of CN code 8440	Brazil

(1) The benefit of the preferences shall not be granted to products originating in Romania.

Order No	CN code	Description	Country concerned
10.1055	8528 10 40 8528 10 50 8528 10 71 8528 10 73 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 or video recording or reproducing apparatus – Colour – – Television projection equipment – – Apparatus incorporating a videophonic recorder or reproducer – – Television receivers with integral tube	Hong Kong Singapore
10.1060	8527 11 10 8527 11 90 8527 21 10 8527 21 90 8527 29 00 8527 31 10 8527 31 91 8527 31 99 8527 32 10 8527 32 90 8527 39 10 8527 39 91 8527 39 99 8527 90 91 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	Hong Kong Singapore
	8528 10 61 8528 10 69 8528 10 80 8528 10 91 8528 10 98 8528 20 20 8528 20 71 8528 20 73 8528 20 79 8528 20 91 8528 20 99	Television receivers (including video monitors and video projectors), whether or not combined in the same housing, with radio-broadcast receivers or sound or video recording or reproduction apparatus, excluding video recording or reproducing apparatus incorporation a video tuner and goods of CN codes 8528 10 50, 8528 10 71, 8528 10 73 and 8528 10 79	
	8529 10 20 8529 10 31 8529 10 39 8529 10 40 8529 10 50 8529 10 70 8529 10 90 8529 90 99	Parts suitable for use solely or principally with the apparatus of CN codes 8525 to 8528 excluding cabinets and cases	
10.1110	8540 91 00 8540 99 00	Thermonic, cold cathode or photocathode valves and tubes – Parts	Hong Kong Singapore
	8541 10 10 8541 10 91 8541 10 99 8541 21 10 8541 21 90 8541 29 10 8541 29 90 8541 30 10 8541 30 90 8541 40 10 8541 50 10 8541 50 90 8541 90 00	Diodes, transistors, and similar semiconductor devices, light emitting diodes	

Order No	CN code	Description	Country concerned
10.1110 *(cont'd)*	8542 11 10 8542 11 30 8542 11 71 8542 11 75 8542 11 91 8542 11 99 8542 19 10 8542 19 20 8542 19 30 8542 19 50 8542 19 70 8542 19 90 8542 20 00 8542 80 00 8542 90 00	Electric integrated circuits and microassemblies	

Order No	Category	CN code	Description	Country concerned
42.1150	115	5306 10 11 5306 10 19 5306 10 31 5306 10 39 5306 10 50 5306 10 90 5306 20 11 5306 20 19 5306 20 90 5308 90 11 5308 90 13 5308 90 19	Flax or ramie yarn	Brazil
42.1271	127 A	5403 31 00 ex 5403 32 00 5403 33 10	Yarn of artificial filaments (continuous) not put up for retail sale; other than yarn of category 42	Brazil
42.1461	146 A	ex 5607 21 00	Twine, cordage, ropes and cables, plaited or not: – Binder and baler twine for agricultural machines, of sisal and other fibres of the Agave family	Brazil
42.1465	146 B	ex 5607 21 00 5607 29 10 5607 29 90	Twine, cordage, ropes and cables, plaited or not: – Of sisal and other fibres of the Agave family, other than the products of category 146 A	Brazil