COMMISSION REGULATION (EU) No 1258/2009

of 18 December 2009

laying down rules for the management and distribution of textile quotas established for the year 2010 under Council Regulation (EC) No 517/94

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules [1], and in particular Article 17(3) and (6) and Article 21(2) thereof,

Whereas:

(1) Regulation (EC) No 517/94 established quantitative restrictions on imports of certain textile products originating in certain third countries to be allocated on a first come, first served basis.

(2) Under that Regulation it is possible, in certain circumstances, to use other allocation methods, to divide quotas into tranches, or to reserve a proportion of a specific quantitative limit exclusively for applications which are supported by evidence of the results of past import performance.

(3) Rules for management of the quotas established for 2010 should be adopted before the quota year begins so that the continuity of trade flows is not affected unduly.

(4) The measures adopted in previous years, such as those in Commission Regulation (EC) No 1164/2008 of 24 November 2008 laying down rules for the management and distribution of textile quotas established for the year 2009 under Council Regulation (EC) No 517/94 [2], proved to be satisfactory and it is therefore appropriate to adopt similar rules for 2010.

(5) In order to satisfy the greatest possible number of operators it is appropriate to make the 'first come, first served' allocation method more flexible by placing a ceiling on the quantities which can be allocated to each operator by that method.

(6) To guarantee a degree of continuity in trade and efficient quota administration, operators should be allowed to make their initial import authorisation application for 2010 equivalent to the quantity which they imported in 2009.

(7) To achieve optimum use of the quantities, an operator who has used up at least one half of the amount already authorised should be permitted to apply for a further amount, provided that quantities are available in the quotas.

(8) For the sake of sound administration, import authorisations should be valid for nine months from the date of issue but only until the end of the year at the latest. Member States should issue licences only after being notified by the Commission that quantities are available and only if an operator can prove the existence of a contract and can certify, in the absence of a specific provision to the contrary, that he has not already been allocated a Community import authorisation under this Regulation for the categories and countries concerned. The competent national authorities should, however, be authorised, in response to importers' applications, to extend by three months and up to 31 March 2011 licences of which at least one half has been used by the application date.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee established by Article 25 of Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

The purpose of this Regulation is to lay down rules on the management of quantitative quotas for imports of certain textile products set out in Annex IV to Regulation (EC) No 517/94 for the year 2010.

Article 2

The quotas referred to in Article 1 shall be allocated according to the chronological order of receipt by the Commission of Member States' notifications of applications from individual operators, for amounts not exceeding the maximum quantities per operator set out in Annex I.

The maximum quantities shall not, however, apply to operators able to prove to the competent national authorities, when making their first application for 2010, that, in respect of given categories and given third countries, they imported more than the maximum quantities specified for each category pursuant to import licences granted to them for 2009.

[1] OJ L 67, 10.3.1994, p. 1.
[2] OJ L 314, 25.11.2008, p. 7.

In the case of such operators, the competent authorities may authorise imports not exceeding the quantities imported in 2009 from given third countries and in given categories, provided that enough quota capacity is available.

Article 3

Any importer who has already used up 50 percent or more of the amount allocated to him under this Regulation may make a further application, in respect of the same category and country of origin, for amounts not exceeding the maximum quantities laid down in Annex I.

Article 4

1. The competent national authorities listed in Annex II may, from 10 a.m. on 7 January 2010, notify the Commission of the amounts covered by requests for import authorisations.

The time fixed in the first subparagraph shall be understood as Brussels time.

2. The competent national authorities shall issue authorisations only after being notified by the Commission pursuant to Article 17(2) of Regulation (EC) No 517/94 that quantities are available for importation.

They shall issue authorisations only if an operator:

(a) proves the existence of a contract relating to the provision of the goods; and

(b) certifies in writing that, in respect of the categories and countries concerned:

(i) he has not already been allocated an authorisation under this Regulation;

(ii) he has been allocated an authorisation under this Regulation but has used up at least 50 percent of it.

3. Import authorisations shall be valid for nine months from the date of issue, but until 31 December 2010 at the latest.

The competent national authorities may, however, at the importer's request, grant a three-month extension for authorisations which are at least 50 percent used up at the time of the request. Such extension shall in no circumstances expire later than 31 March 2011.

Article 5

This Regulation shall enter into force on 1 January 2010.

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

Done at Brussels, 18 December 2009.

For the Commission
The President
José Manuel BARROSO

ANNEX I

Maximum amounts referred to in Articles 2 and 3

Country concerned	Category	Unit	Maximum amount
Belarus	1	Kilograms	20 000
	2	Kilograms	80 000
	3	Kilograms	5 000
	4	Pieces	20 000
	5	Pieces	15 000
	6	Pieces	20 000
	7	Pieces	20 000
	8	Pieces	20 000
	15	Pieces	17 000
	20	Kilograms	5 000
	21	Pieces	5 000
	22	Kilograms	6 000
	24	Pieces	5 000
	26/27	Pieces	10 000
	29	Pieces	5 000
	67	Kilograms	3 000
	73	Pieces	6 000
	115	Kilograms	20 000
	117	Kilograms	30 000
	118	Kilograms	5 000
North Korea	1	Kilograms	10 000
	2	Kilograms	10 000
	3	Kilograms	10 000
	4	Pieces	10 000
	5	Pieces	10 000
	6	Pieces	10 000
	7	Pieces	10 000
	8	Pieces	10 000
	9	Kilograms	10 000
	12	Pairs	10 000

Country concerned	Category	Unit	Maximum amount
	13	Pieces	10 000
	14	Pieces	10 000
	15	Pieces	10 000
	16	Pieces	10 000
	17	Pieces	10 000
	18	Kilograms	10 000
	19	Pieces	10 000
	20	Kilograms	10 000
	21	Pieces	10 000
	24	Pieces	10 000
	26	Pieces	10 000
	27	Pieces	10 000
	28	Pieces	10 000
	29	Pieces	10 000
	31	Pieces	10 000
	36	Kilograms	10 000
	37	Kilograms	10 000
	39	Kilograms	10 000
	59	Kilograms	10 000
	61	Kilograms	10 000
	68	Kilograms	10 000
	69	Pieces	10 000
	70	Pieces	10 000
	73	Pieces	10 000
	74	Pieces	10 000
	75	Pieces	10 000
	76	Kilograms	10 000
	77	Kilograms	5 000
	78	Kilograms	5 000
	83	Kilograms	10 000
	87	Kilograms	8 000
	109	Kilograms	10 000
	117	Kilograms	10 000

Country concerned	Category	Unit	Maximum amount
	118	Kilograms	10 000
	142	Kilograms	10 000
	151A	Kilograms	10 000
	151B	Kilograms	10 000
	161	Kilograms	10 000

ANNEX II

List of Licensing offices referred to in Article 4

1. **Austria**

Bundesministerium für Wirtschaft, Familie und Jugend
Außenwirtschaftsadministration
Abteilung C2/2
Stubenring 1A-1011 Wien
Tel. +43 1711000
Fax +43 1711008386

2. **Belgium**

FOD Economie, Kmo, Middenstand en Energie
Economisch Potentieel
KBO-Beheerscel – Vergunningen
Leuvenseweg 44
1000 Brussel
BELGIË
Tel. +32 22776713
Fax +32 22775063

SPF Économie, PME, Classes moyennes et Énergie
Potentiel économique
Cellule de gestion BCE – Licences
Rue de Louvain 44
1000 Bruxelles, BELGIQUE
Tél. +32 2277613
Fax +32 22775063

3. **Bulgaria**

Министерство на икономиката, енергетиката и туризма
Дирекция „Регистриране, лицензиране и контрол“
ул. „Славянска“ № 8
1052 София
Тел.: +359 29407008 / +359 29407673 / +359 29407800
Факс: +359 29815041 / +359 29804710 / +359 29883654

4. **Cyprus**

Ministry of Commerce, Industry and Tourism
Trade Department
6 Andrea Araouzou Str.
1421 Nicosia
Τηλ. +357 2867100
Φαξ +357 2375120

5. **Czech Republic**

Ministerstvo průmyslu a obchodu
Licenční správa
Na Františku 32
110 15 Praha 1
Česká republika
Tel.: +420 224907111
Fax: +420 224212133

6. **Denmark**

Erhvervs- og Byggestyrelsen
Økonomi- og Erhvervsministeriet
Langelinje Allé 17
2100 København
DANMARK
Tlf.: +45 35466030
Fax +45 35466029

7. **Estonia**

Majandus- ja Kommunikatsiooniministeerium
Harju 11
EST-15072 Tallinn
Estonia
Tel. +372 6256400
Fax +372 6313660

8. **Finland**

Tullihallitus
PL 512
FI-00101 Helsinki
Puh. +358 96141
Faksi +358 204922852

Tullstyrelsen
PB 512
FI-00101 Helsingfors
Tel. +358 96141
Fax +358 204922852

9. **France**

Ministère de l'économie, de l'industrie et de l'emploi
Direction générale de la compétitivité, de l'industrie et des services
Sous-direction «industries de santé, de la chimie et des nouveaux matériaux»
Bureau «matériaux du futur et nouveaux procédés»
Le Bervil
12 rue Villiot
75572 Paris Cedex 12, FRANCE
Tél. +33 153449026
Fax +33 153449172

10. **Germany**

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)
Frankfurter Str. 29-35
D-65760 Eschborn
Tel. +49 61969080
Fax +49 6196908800

11. **Greece**

Υπουργείο Οικονομίας, Ανταγωνιστικότητας & Ναυτιλίας
Γενική Διεύθυνση Διεθνούς Οικονομικής Πολιτικής
Διεύθυνση Καθεστώτων Εισαγωγών-Εξαγωγών, Εμπορικής Άμυνας
Κορνάρου 1
105 63 Αθήνα
Τηλ. +30 2103286021/22
Φαξ +210 3286094

12. **Hungary**

Magyar Kereskedelmi Engedélyezési Hivatal
Margit krt. 85.
H-1024 Budapest.
Postafiók: 1537 Budapest Pf. 345.
Tel. +36 13367303
Fax +36 1336 7302
e-mail: mkeh@mkeh.gov.hu

13. **Ireland**

Department of Enterprise, Trade and Employment
Internal Market
Kildare Street
IRL-Dublin 2
Tel. +353 16312121
Fax +353 16312826

14. **Italy**

Ministero dello Sviluppo Economico
Direzione Generale per la Politica Commerciale
DIV. III
Viale America 341
I-00144 Roma
Tel. +39 0659647517, 59932471, 59932245, 59932260
Fax +39 0659932636
E-mail: polcom3@mincomes.it

15. **Latvia**

Ekonomikas ministrija
Brīvības iela 55
Rīga, LV-1519
LATVIJA
Tālr.: +371 67013299, +371 67013248
Fakss: +371 67280882

16. **Lithuania**

Lietuvos Respublikos Ūkio Ministerija
Gedimino pr. 38/2
LT-01104 Vilnius
Tel. +370 5262850/+370 52619488
Fax +370 52623974

17. **Luxembourg**

Ministère de l'économie et du commerce
Office des licences
Boîte postale 113
2011 Luxembourg, LUXEMBOURG
Tél. +352 4782371
Fax +352 466138

18. **Malta**

Ministry for Competitiveness and Communication
Commerce Division, Trade Services Directorate
Lascaris
Valletta CMR02
Malta
Tel. +356 21237112
Fax +356 21237900

19. **Netherlands**

Belastingdienst/Douane
Centrale Dienst voor in- en uitvoer
Engelse Kamp 2
Postbus 30003
9700 RD Groningen
NEDERLAND
Tel. +31 505232600
Fax +31 505232210

20. **Poland**

Ministerstwo Gospodarki
Pl. Trzech Krzyży 3/5
00-950 Warszawa
Tel. +48 226935553
Faks +48 226934021

21. **Portugal**

Ministério das Finanças
Direcção Geral das Alfândegas e dos Impostos Especiais sobre o Consumo
Rua Terreiro do Trigo
Edifício da Alfândega
P-1149-060 LISBOA
Tel. +351 218814263
Fax +351 218814261
E-mail: dsl@dgaiec.min-financas.pt

22. **Romania**

Ministerul Întreprinderilor Mici si Mijlocii, Comertului și Mediului de Afaceri
Directia Generala Politici Comerciale
Str. Ion Câmpineanu, nr. 16
Bucuresti, sector 1
Cod postal 010036
Tel. +40 21315.00.81
Fax +40 2131504.54
e-mail: clc@dce.gov.ro

23. **Slovakia** Ministerstvo hospodárstva SR Oddelenie licencií Mierová 19 827 15 Bratislava SLOVENSKO Tel. +421 248542021/+421 248547119 Fax +421 243423919	24. **Slovenia** Ministrstvo za finance Carinska uprava Republike Slovenije Carinski urad Jesenice Center za TARIC in kvote Spodnji Plavž 6c SI-4270 Jesenice SLOVENIJA Tel. +386 42974470 Faks +386 42974472 E-naslov: taric.cuje@gov.si
25. **Spain** Ministerio de Industria, Turismo y Comercio Secretaría General de Comercio Exterior Paseo de la Castellana, 162 28046 Madrid ESPAÑA Tel. +34 913493817-3748 Fax +34 915631823-349 3831	26. **Sweden** National Board of Trade (Kommerskollegium) Box 6803 SE-113 86 Stockholm SVERIGE Tfn +46 86904800 Fax +46 8306759
27. **United Kingdom** Department for Business, Innovation and Skills Import Licensing Branch Queensway House – West Precinct Billingham UK-TS23 2NF Tel. +44 1642364333, 364334 Fax +44 1642364269 E-mail: enquiries.ilb@bis.gsi.gov.uk	