Notice to importers of certain products originating in the People's Republic of China subject to quantitative quotas — Second tranche 2004

(2003/C 280/03)

In accordance with Article 3 of Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas (1), importers in the Community and in the Acceding States are informed of the following:


2. These quotas will be administered using the method based on traditional trade flows (Article 2(2)(a) of Regulation (EC) No 520/94). Under this method, the quotas are divided into two parts, one reserved for traditional importers and the other for non-traditional importers. The part reserved for non-traditional importers will, however, be allocated on a pro-rata basis according to the quantities requested; the quantity requested by a non-traditional importer may not exceed the quantity or value indicated for each product in Annex I to this notice.

For the purposes of allocating the portion of each quota set aside for the traditional importers, 'traditional' importers shall mean

— operators established in the Community before 1 May 2004, who can show that they have imported goods in the calendar years 1998 or 1999 into the Community,

— operators established in one of the Acceding States before 1 May 2004 who can show that they have imported goods in the calendar years 2001 or 2002 into the Acceding States.

3. In order to qualify for the allocation of these quotas, importers, no matter where they are established in the European Community may lodge with the competent authorities of the Member State of their choice a single license application for each quota, drawn up in the official language or languages of the State concerned. Importers established in the Acceding States may lodge with the competent authorities of the State where they are established a single license application for each quota, drawn up in the official language or languages of the State concerned. The list of competent authorities can be found in Annex II to this notice.

4. In accordance with Article 3 of Commission Regulation (EC) No 738/94 (4) of 30 March 1994 laying down certain rules for the implementation of Regulation (EC) No 520/94, the import licence application shall state only:

(a) the applicant's full name and address (including telephone and fax numbers and any identification number registered with the competent national authorities) and VAT registration number, if liable for VAT;

(b) the quota period in question, i.e. 'May to December 2004';

(c) where applicable, the full name and address of the declarant or the applicant's representative (including telephone and fax numbers);

(d) a description of the goods, giving:

— their trade description,

— combined nomenclature (CN) code,

— details of their origin and place of consignment;

(e) the quantities requested, expressed in the unit used to set the quota;

(f) where the licence application relates to footwear and the quantitative quota covers two CN codes, a breakdown by CN code of the quantities requested;

(g) the following statement followed by the date, the applicant's signature and his name printed in capital letters:

'I, the undersigned, declare that the information given in this application is correct and is given in good faith, that I am established in the European Community or in one of the Acceding States, and that this application is the only one made by me or on my behalf for the quota relating to the goods described in this application.

I undertake to return the licence to the issuing authority within ten working days of its expiry.'


(2) OJ L 303, 21.11.2003, p. 3.


5. The supporting documents referred to in Article 7 of Regulation (EC) No 520/94 shall relate to the release for free circulation during either calendar year 1998 or 1999 for traditional importers established in the Community and either calendar year 2001 or 2002 for traditional importers established in the Acceding States, as indicated by the importer, of products originating in the People's Republic of China which are covered by the quota in respect of which the application is made.

Alternatively, applicants may enclose with their licence applications documents drawn up and certified by the competent national authorities on the basis of the customs information available to them showing that the applicants or the operators whose activities they have taken over imported the products concerned during either the 1998 or 1999 calendar year (for importers in the Community) or either the 2001 or 2002 calendar year (for importers in Acceding States).

Alternatively, applicants already holding import licences issued under Community legislation for the products covered by the quantitative quota concerned by the licence application may enclose with their licence applications a copy of their previous licences. In that case, they shall state in their import licence applications the aggregate volume of the actual imports of the product concerned in either 1998 or 1999.

6. When applying for the allocation of the part of the quota reserved for non-traditional importers, operators that are deemed to be related persons as defined by Article 143 of Commission Regulation (EEC) No 2454/93 (1) of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) 2913/92 (2) establishing the Community Customs Code, as last amended by Regulation (EC) No 881/2003 (3), may only submit a single licence application for the goods described in the application. In addition to the statement required by Article 3(2)(g) of Regulation (EC) No 738/94, the license application for the non-traditional quota shall contain a statement that the applicant is not related to any other operator applying for the non-traditional quota line in question.

7. Applications for import licences may be lodged from the day after the publication in the Official Journal of the European Union of Commission Regulation (EC) No 2044/2003 until 15.00, Brussels time, on 31 December 2003.

8. The provisions governing the quotas referred to in this notice result from the following Regulations:


## ANNEX I

### Maximum quantity which may be requested by each non-traditional importer

<table>
<thead>
<tr>
<th>Product description</th>
<th>HS/CN Code</th>
<th>Predetermined maximum quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Footwear falling within HS/CN codes</td>
<td>ex 6402 99 (1)</td>
<td>5 000 pairs</td>
</tr>
<tr>
<td></td>
<td>6403 51</td>
<td>5 000 pairs</td>
</tr>
<tr>
<td></td>
<td>6403 59</td>
<td>5 000 pairs</td>
</tr>
<tr>
<td></td>
<td>ex 6403 91 (1)</td>
<td>5 000 pairs</td>
</tr>
<tr>
<td></td>
<td>ex 6403 99 (2)</td>
<td>5 000 pairs</td>
</tr>
<tr>
<td></td>
<td>ex 6404 11 (2)</td>
<td>5 000 pairs</td>
</tr>
<tr>
<td></td>
<td>6404 19 10</td>
<td>5 000 pairs</td>
</tr>
<tr>
<td>Tableware, kitchenware of porcelain or china falling within HS/CN code</td>
<td>6911 10</td>
<td>5 tonnes</td>
</tr>
<tr>
<td>Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code</td>
<td>6912 00</td>
<td>5 tonnes</td>
</tr>
</tbody>
</table>

(1) Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

(2) Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;

(b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.
ANNEX II

List of the competent national authorities in the Member States

1. BELGIQUE/BELGIQUE
Service public fédéral de l’économie, des PME, des classes moyennes & de l’énergie
Administration du potentiel économique
Politiques d’accès aux marchés, Service «Licences»
Federele Overheidsdienst Economie, K.M.O., Middenstand & Energie
Bestuur Economisch Potentiel
Markttoegangsbeleid, Dienst Vergunningen
Rue Général-Leman 60, Generaal Lemanstraat 60
B-1040 Brussel/Bruxelles
Tél./Tel.: (32-2) 206 58 16
Télécopieur/Fax: (32-2) 230 83 22/231 14 84

2. DANMARK
Erhvervs -og Boligstyrelsen
Vejlsøvej 29
DK-8600 Silkeborg
Tlf. (45) 35 46 60 30
Fax (45) 35 46 64 01

3. DEUTSCHLAND
Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)
Frankfurter Straße 29—35
D-65760 Eschborn
Tel. (49) 619 69 08-0
Fax (49) 619 42 26/(49) 619 908-800

4. GRECE
Ministry of Economy & Finance
General Directorate of Policy Planning & Implementation
Directorate of International Economic Issues
1, Kornarou Street
GR-Athens 103-63
Tel.: (30-1) 328-60 31/328 60 32
Fax: (30-1) 328 60 94/328 60 59

5. ESPAÑA
Ministerio de Economía y Hacienda
Dirección General de Comercio Exterior
Paseo de la Castellana, 162
E-28046 Madrid
Tel.: (34) 913 49 38 94/913 49 37 78
Fax (34) 913 49 38 32/913 49 37 40

6. FRANCE
Service des titres du commerce extérieur
8, rue de la Tour-des-Dames
F-75436 Paris Cedex 09
Téléphone (33-1) 55 07 46 69/95
Télécopieur (33-1) 55 07 48 32/34/35

7. IRELAND
Department of Enterprise, Trade and Employment
Licensing Unit, Block C
Earlsfort Centre
Hatch Street
Dublin 2
Ireland
Tel. (353-1) 631 25 41
Fax (353-1) 631 25 62

8. ITALIA
Ministero delle attività produttive
Direzione generale Politica commerciale
Div. VII
Viale Boston 25
I-00144 Roma
Tel. (39 06) 59 93 24 89
Fax (39 06) 592 55 56

9. LUXEMBOURG
Ministère des affaires étrangères
Office des licences
Boîte postale 113
L-2011 Luxembourg
Téléphone (352) 22 61 62
Télécopieur (352) 46 61 38

10. NEDERLAND
Belastingdienst/Douane
Engelse Kamp 2
Postbus 30003
9700 RD Groningen
Nederland
Tel. (31-50) 523 91 11
Fax (31-50) 523 22 10

11. ÖSTERREICH
Bundesministerium für Wirtschaft und Arbeit
Äußenwirtschaftsadministration
Abteilung C2/2
Stubenring 1
A-1011 Wien
Tel. (43) 1 711 00 0
Fax (43) 1 711 00 83 86

12. PORTUGAL
Ministério das Finanças
Direçao-Geral das Alfândegas e dos Impostos Especiais sobre o Consumo, Edifício da Alfândega de Lisboa
Largo do Terreiro do Trigo
P-1100 Lisboa
Tel.: (351) 21 881 42 63
Fax: (351) 21 881 42 61

13. SUOMI
Tullihallitus/Tullstyrelsen
Erottajankatu/Skillnadsgatan 2
FIN-00120 Helsinki/Helsingfors
P./Tel. (358-9) 61 41 41
F. (358-9) 614 28 52

14. SVERIGE
Kommerskollegium
Box 6803
S-113 86 Stockholm
Tfn (46-8) 690 48 00
Fax (46-8) 30 67 59
List of the competent national authorities in the acceding countries

1. CYPRUS
Ministry of Commerce, Industry and Tourism Trade Department
6 Andrea Araouzou Str. 1421 Nicosia
Tel: ++357 2 867100
Fax: ++357 2 375120

2. CZECH REPUBLIC
Ministerstvo průmyslu a obchodu Licenční správa
Na Františku 32
CZ-110 15 Praha 1
Tel: (420) 22406 2206
Fax: (420) 22421 2133

3. ESTONIA
Majandus- ja Kommunikatsiooniministeerium
Harju 11
15072 Tallinn
Estonia
Tel.: (372) 6256 400
Fax: (372) 6313 660

4. HUNGARY
Gazdasági és Közlekedési Minisztérium Engedélyezési és Közigazgatási Hivatala
H-1024 Budapest, Margit krt. 85.
Postaiók: 1537 Budapest Pf. 345.
Tel: (36-1) 336 7300
Fax: (36-1) 336 7302

5. LATVIA
Ekonomikas ministrija
Brīvības iela 55
LV-1519 Riga
Tel.: 00 371 701 3006
Fax: 00 371 728 0882

6. LITHUANIA
Lietuvos Respublikos Ūkio ministerija
Gedimino pr. 38/2
LT-2600 Vilnius
tel.: 00 370 5 262 50 30/00 370 5 262 87 50
faks.: 00 370 5 262 39 74

7. MALTA
Ministry for Economic Services Commerce Division
Ministeru gnas-Servizzi Ekonomiċi
Lascaris
Valletta CMR02
Malta
tel: 00 356 21 243 286
fax: 00 356 21 231 919

8. POLAND
Ministerstwo Gospodarki, Pracy i Polityki Społecznej
Pf. Trzech Krzyży 3/5
00-950 Warszawa
tel: 0048/22/693 55 53
fax: 0048/22/693 40 21

9. SLOVAKIA
Ministerstvo Hospodárstva SR
Odbor výkonu obchodno-politických opatrení
Mierová 19
SK-827 15 Bratislava
tel: 00 421 2 434 23 913/00 421 2 485 42 160
fax: 00 421 2 4342 3919

10. SLOVENIA
Ministrstvo za gospodarstvo Področje ekonomskih odnosov s tujino
Kotnikova 5
1000 Ljubljana
tel: +386(0)1/478 3600
fax: +386(0)1/478 3611