

## DECISION No 9/73 OF THE JOINT COMMITTEE

supplementing and amending Articles 24 and 25 of Protocol No 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Swiss Confederation signed in Brussels on 22 July 1972;

Having regard to Protocol No 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation (hereafter referred to as 'Protocol No 3') and in particular Article 28 thereof;

Whereas Decision No 6/73 of the Joint Committee of 30 January 1973 amended Article 25 (1) of Protocol No 3 to avoid, to the detriment of originating products within the meaning of the Agreement of 22 July 1972, distortions of sources of supply which could arise until customs duties are abolished between the Community as originally constituted and Ireland on the one hand, and Switzerland on the other; whereas that Decision has consequently amended Articles 23 and 24;

Whereas taking account of the emergence of further risks of distortion of sources of supply, new amendments should be made to Article 25 (1) of Protocol No 3,

HAS DECIDED:

*Article 1*

The text of Article 25 (1) of Protocol No 3 is replaced by the following:

'1. The following products may benefit, upon import into Switzerland or Denmark or the United Kingdom, from the tariff provisions in force

in Switzerland or in the latter two countries and covered by Article 3 (1) of the Agreement:

- (a) products which meet the conditions of this Protocol and for which a movement certificate has been issued indicating that they have acquired the status of originating products and have undergone any additional processing solely in Switzerland or in the two countries referred to above or in the other five countries specified in Article 2 of this Protocol;
- (b) products other than products of Chapters 50 to 62, which meet the conditions of this Protocol and for which a movement certificate has been issued indicating:
  - 1. that they have been obtained by the processing of goods which, upon export from the Community as originally constituted or from Ireland, had already acquired there the status of originating products;
  - 2. and that the added value acquired in Switzerland or in the two countries referred to above or in the other five countries specified in Article 2 of this Protocol represents 50% or more of the value of those products;
- (c) products listed in column 2 below which meet the conditions of this Protocol and for which a movement certificate has been issued indicating that they have been obtained by the processing of goods listed in column 1 below which, upon export from the Community as originally constituted or from Ireland, had already acquired there the status of originating products.

| <i>Column 1</i> |  | <i>Column 2</i>   |   |
|-----------------|--|---|---|
| Products used   |  | Products obtained   |   |
| 1.              | ex 11.08                                       | Maize and potato starches   | ex 35.05 Starch glues   |
| 2.              | 73.12  | Hoop and strip, of iron or steel, hot-rolled or cold-rolled   | 73.18 Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits  |
| 3.              | 74.01  | Copper matte; unwrought copper (refined or not), copper waste and scrap   | 74.03 Wrought bars, rods, angles, shapes and sections, of copper; copper wire   |
|                 |  |   | 74.04 Wrought plates, sheets and strip, of copper   |
|                 |  |   | 74.05 Copper foil (whether or not embossed, cut to shape, perforated, coated, printed or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm |
|                 |  |   | 74.06 Copper powders and flakes   |
|                 |  |   | 74.07 Tubes and pipes and blanks therefor, of copper; hollow bars of copper   |
|                 |  |   | 74.08 Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper  |
|                 |  |   | 74.10 Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables  |
|                 |  |   | 85.23 Insulated (including enamelled or anodized) electric wire, cables, bars, strip and the like (including co-axial cable), whether or not fitted with connectors                                     |
| 4.              | 75.01  | Nickel mattes, nickel speiss and other intermediate products of nickel metallurgy; unwrought nickel (excluding electro-plating anodes); nickel waste and scrap  | 75.02 Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire   |
|                 |  |   | 75.03 Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes   |
|                 |  |   | 75.04 Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel   |
| 5.              | ex 85.24                                       | Carbon electrodes   | ex 85.24 Graphite electrodes  |
| 6.              | Materials not falling within Chapters 50 to 62 |   | All goods falling within Chapters 50 to 62  |
| 7.              | ex Chapters 50 to 57                           | Fibres, yarn, monofil and strip of textile materials, other than those predominating in weight provided that their weight does not exceed 10% of the total weight of all the textile materials incorporated in the finished product | All products of Chapters 50 to 62 containing two or more textile materials  |
| 8.              | ex Chapters 50 to 59                           | Yarn  | ex 60.04 Under-garments, complete and ready to wear   |
|                 |  |   | ex 60.05 Outer garments and other articles, complete and ready for wear or use, other than blankets   |

| <i>Column 1</i> |                      | <i>Column 2</i>   |   |
|-----------------|----------------------|---|---|
| Products used   |                      | Products obtained   |   |
| 9.              | ex Chapters 50 to 59 | Woven fabric, not embroidered, provided that the value of the woven fabric does not exceed 50% of the value of the finished good                                  | ex 62.02 The following products embroidered: table linen, curtains, table runners, chair-backs; arm-rests and cushion covers (excluding bed linen) and furnishing articles for churches and similar places of worship   |
| 10.             | ex Chapters 50 to 62 | Trimmings and accessories (excluding linings)   | All goods falling within Chapter 60, heading Nos 61.01 to 61.04, 61.06, 61.07, 61.09 to 61.11 (complete and ready to wear), 61.05 (complete and ready for use), and products within heading No 61.08 and Chapter 62   |
| 11.             | ex 57.07             | Sisal yarn  | ex 58.02 Sisal carpets  |
| 12.             | 50.03                | Silk waste (including cocoons unsuitable for reeling, silk noils and pulled or garnetted rags)  | All goods falling within Chapters 50 to 62  |
|                 | 56.03                | Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning |   |
| 13.             | 53.05                | Sheep's or lambs' wool or other animal hair (fine or coarse), carded or combed  | All goods falling within Chapters 50 to 57  |
| 14.             | ex 56.01             | Synthetic textile fibres (discontinuous), not carded, combed or otherwise prepared for spinning   | — All goods falling within Chapters 50 to 57, except heading No 56.04: man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning<br>— The following goods falling within Chapters 58 to 62:<br>ex 59.01: Sanitary towels<br>ex 59.04: Twine, cordage, ropes and cables, plaited or not, other than single yarn composed solely of continuous synthetic textile fibres   |
|                 | ex 56.02             | Continuous filament tow for the manufacture of synthetic textile fibres (discontinuous)   |   |
| 15.             | ex 56.01<br>ex 56.02 | Fibres and continuous filament tow of polypropylene, provided that their value does not exceed 40% of the value of the finished good                              | ex 59.02 Needleloom felt, whether or not impregnated or coated  |
| 16.             | ex Chapters 50 to 57 | Yarn  | ex 50.09 Woven fabrics, dyed, containing 80% or more by weight of silk or waste silk other than noil<br>ex 51.04 Woven fabrics of man-made fibres (continuous), flocked<br>ex 55.09 Other woven fabrics of cotton flocked<br>ex 55.09 Organdies, bleached, mercerized and parchmentized<br>ex 56.07 Woven fabrics of man-made fibres (discontinuous or waste), flocked<br>58.01 Carpets, carpeting and rugs, knotted (made up or not)<br>ex 59.01 Sanitary towels |

| <i>Column 1</i> |                                  |   | <i>Column 2</i>   |  |
|-----------------|----------------------------------|---|-------------------|--|
| Products used   |                                  |   | Products obtained |  |
|                 |                                  |   | ex 59.15          | Textile hosepiping and similar tubing in which linen or true hemp or both materials together represent not more than 50% of the weight of the textile components                                       |
|                 |                                  |   | ex 59.17          | Bolting cloth  |
|                 |                                  |   | ex 59.17          | Textile articles other than the goods defined in Note 5 (a) to Chapter 59  |
|                 |                                  |   | ex 60.03          | Stockings, under-stockings, socks, ankle-socks, sockettes and the like, complete and ready to wear   |
|                 |                                  |   | ex 60.06          | Articles of the kinds falling within heading Nos 60.02 to 60.05, knitted or crocheted and elastic or rubberized complete and ready to wear or ready for use  |
| 17.             | ex Chapters 50 to 59             | Single yarn   | 59.05             | Nets and netting made of twine, cordage, or rope, and made up fishing nets of yarn, twine, cordage or rope   |
|                 |                                  |   | 59.06             | Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics  |
| 18.             | ex Chapters 55 and 56            | Single yarn   | ex 58.08          | Knotted net fabrics, having a uniform square or diamond-shaped mesh knotted at each corner, entirely made of cotton or synthetic textile fibres  |
| 19.             | ex 51.01                         | Yarn of synthetic textile fibre (continuous), not put up for retail sale                            | ex 58.08          | Knotted net fabrics, having a uniform square or diamond-shaped mesh knotted at each corner, entirely made of cotton or of synthetic textile fibres   |
|                 | ex 51.02                         | Monofil, strip (artificial straw and the like) and imitation catgut, of synthetic textile materials | ex 59.04          | Twine, cordage, ropes and cables, plaited or not other than single yarn composed solely of continuous synthetic textile fibres   |
|                 |                                  |   | 59.05             | Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope  |
|                 |                                  |   | 59.06             | Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics  |
| 20.             | ex 51.01<br>ex 51.02<br>ex 56.05 | Yarn, monofil, strip (artificial straw and the like) and imitation catgut, of cuprammonium fibres   | 58.06             | Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size  |
| 21.             | ex 51.02                         | Monofil of polyesters   | ex 59.17          | Fabrics (other than felted fabrics of textile fibres), of a kind commonly used in machinery for making or finishing cellulosic pulp, paper or paperboard, including fabrics of tubular or endless kind |

| <i>Column 1</i> |   | <i>Column 2</i>   |
|-----------------|---|---|
| Products used   |   | Products obtained   |
| 22.             | ex Chapters 50 to 59<br>Fabric and other products except those falling within heading Nos 59.10 and 59.11   | 59.10<br>Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not  |
|                 |   | ex 59.11<br>Plates, sheets and strip, of expanded foam or sponge rubber, combined with textile fabric   |
| 23.             | ex Chapters 50 to 59<br>Fabric (excluding linings), provided that the value of the fabric (linings, trimmings and accessories not included) does not exceed 45% of the value of the finished good | ex 61.01<br>Men's and boys' outer garments complete and ready to wear   |
|                 |   | ex 61.02<br>Women's, girls' and infants' outer garments, complete and ready to wear, of the following kinds: frocks, skirts, jackets, trousers (other than trousers whose fabric falls within heading Nos 55.08 and 55.09), suits (consisting of a jacket and skirt or a jacket and trousers) and coats |
| 24.             | ex Chapters 50 to 60<br>Fabric, including knitted or crocheted fabric, provided that the value of the fabric does not exceed 40% of the value of the finished good                                | ex 61.09<br>Brassieres, corsets, corset-belts, suspender belts, girdle corsets and other articles designed for wear as body-supporting garments, whether or not elastic, complete and ready to wear.  |

This paragraph shall only apply to products which by virtue of this Agreement and of the Protocols annexed thereto will benefit from the abolition of customs duties at the conclusion of the period of tariff dismantling laid down for each product. This paragraph shall cease to be applicable upon the expiry of the period of tariff dismantling laid down for each product.'

#### *Article 2*

1. The text of Article 24 (1) of Protocol No 3 shall be replaced by the following text:

'Movement certificates may, where appropriate, be required to indicate that the products to which they relate have acquired the status of originating products and have undergone any additional processing under the conditions set out in Article 25 (1) until the date from which the customs duties applicable to the said products are abolished between the Community as originally constituted and Ireland of the one part, and Switzerland of the other.'

2. Note 12, Articles 24 and 25 of Annex I to Protocol No 3 is deleted.

#### *Article 3*

This Decision replaces Decision No 6/73 of the Joint Committee of 30 January 1973.

Done at Brussels, 20 August 1973.

*For the Joint Committee*

*The Chairman*

P. H. WURTH

*The Secretaries*

F. BLANKART

A. SLINGERLAND