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Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 2135/89 of 12 June 1989 on common rules for imports of certain textile products originating in the People's Republic of China** 1
 - ★ **Council Regulation (EEC) No 2136/89 of 21 June 1989 laying down common marketing standards for preserved sardines** 79
 - ★ **Council Regulation (EEC) No 2137/89 of 21 June 1989 on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Socialist Republic of Romania amending Annex II to the Protocol annexed to the Agreement on trade in industrial products** 82
 - Agreement in the form of an Exchange of Letters between the European Economic Community and the Socialist Republic of Romania amending Annex II to the Protocol annexed to the Agreement on Trade in Industrial Products** 83
-

II *Acts whose publication is not obligatory*

Council

89/437/EEC:

- ★ **Council Directive of 20 June 1989 on hygiene and health problems affecting the production and the placing on the market of egg products** 87

Price: ECU 14⁰⁰

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

89/438/EEC:

- ★ Council Directive of 21 June 1989 amending Directive 74/561/EEC on admission to the occupation of road haulage operator in national and international transport operations, Directive 74/562/EEC on admission to the occupation of road passenger transport operator in national and international transport operations and Directive 77/796/EEC aiming at the mutual recognition of diplomas, certificates and other evidence of formal qualifications for goods haulage operators and road passenger transport operators, including measures intended to encourage these operators effectively to exercise their right to freedom of establishment 101

89/439/EEC:

- ★ Council Directive of 26 June 1989 amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products 106

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2135/89

of 12 June 1989

on common rules for imports of certain textile products originating in the People's Republic of China

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 in 1988 the European Economic Community negotiated an Agreement with the People's Republic of China (hereinafter referred to as 'China') on trade in textile products ⁽¹⁾; (hereinafter referred to as 'the Agreement');

Whereas the Community and China have decided that the provisions of this Agreement shall be fully implemented as from 1 January 1989 until 31 December 1992;

Whereas it is necessary, with a view to implementing the provisions of the Agreement to establish new specific common rules for imports of certain textile products originating in China;

Whereas it is necessary to ensure that the purpose of the Agreements should not be obstructed by deflection of trade and that it is therefore necessary to determine the way in which the origin of the products in question is controlled and the methods by which the appropriate administrative cooperation is achieved;

Whereas compliance with the quantitative limits on exports established under the Agreement is ensured by a double-checking system; whereas the effectiveness of these measures depends on the Community establishing a set of quantitative limits to be applied to imports of all products from China which are subject to quantitative limitations;

Whereas products entering the customs territory of the Community under the arrangements for inward processing or other temporary admission arrangements and intended for re-exportation out of the said territory in the same state or after processing should not be subject to such quantitative limits;

Whereas special rules are required for products re-imported under the arrangements for economic outward processing;

Whereas, in order to apply quantitative limits in conformity with the Agreement, it is necessary to establish a special management procedure; whereas it is desirable that such common management system be decentralized by allocating the quantitative limits among the Member States, and that the import authorizations be issued by the Member States' authorities in accordance with the double-checking system defined in the Agreement;

Whereas, in order to ensure the best possible utilization of the Community quantitative limits, they should be allocated in accordance with the requirements of the Member States and with the quantitative objectives established by the Council; whereas, however, the extent of the disparities existing in the conditions for importation of these products into the Member States and the particularly sensitive position of the Community textile industry mean that the said conditions can be standardized only gradually; whereas, for these reasons, allocation of supplies cannot immediately be effected on the basis of requirements alone;

Whereas the Agreement provides for the possibility of automatic transfers between the shares allocated to the Member States within the Community quantitative limit on the basis of increasing percentages from the first year of application of the Agreement onwards, with a view in particular to giving China more flexibility in using each Community quantitative limit;

Whereas it is also necessary to maintain efficient and rapid procedures for altering Community quantitative limits and their allocation to take account of the development of trade flows, needs for additional imports and the Community's obligations under the Agreement;

Whereas, in respect of certain textile products under limitations, the Agreement provides for a consultation procedure with China whereby a limit to the growth of imports of a product may be agreed where significant use of

⁽¹⁾ OJ No L 380, 31. 12. 1988, p. 1.

its related quantitative limit follows a marked under-use; whereas China also agreed to limit its exports, from the time of the consultation request, to a level established in the Agreement; whereas, in the absence of agreement within the specified time limits, China agreed to limit the growth in its exports to a level established in the Agreement;

Whereas, in the case of products not subject to quantitative limitation, the Agreement provides for a consultation procedure whereby, in the event that the volume of imports of a given category of products into the Community or one of its regions exceeds a certain threshold, agreement can be reached with China on the introduction of quantitative limits; whereas China also undertakes to limit its exports from the date of a request for such consultations, at the level indicated by the Community; whereas, if no agreement is reached with China within the period stipulated, the Community may introduce quantitative limits at a specific annual or multiannual level;

Whereas the Agreement established a system of cooperation between the Community and China with the aim of preventing circumvention by means of transshipment, re-routing or other means; whereas a consultation procedure is established under which an agreement can be reached with China on an equivalent adjustment to the relevant quantitative limit when it appears that the Agreement has been circumvented; whereas China also agreed to take the necessary measures to ensure that any adjustments could be rapidly applied; whereas, in the absence of agreement with China within the time limit provided, the Community may, where clear evidence of circumvention is provided apply the equivalent adjustment;

Whereas, in order, *inter alia*, to comply with time limits set in the Agreement, it is necessary to establish a rapid and efficient procedure for introducing such quantitative limits and concluding such Agreements with China;

Whereas, for practical reasons, it is convenient to make use, for the purposes enumerated above, of the management committee already set up by Regulation (EEC) No 4136/86 ⁽¹⁾;

Whereas the provisions of this Regulation must be applied in conformity with the Community's international obligations, in particular with those arising from the Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to imports into the Community of the textile products referred to in Annex I and originating in China.
2. The classification of products listed in Annex I shall be based on the combined nomenclature, without prejudice to

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 42.

Article 3 (6). The procedures for the application of this paragraph are laid down in Annex V.

3. Subject to the provisions of this Regulation, the importation into the Community of the textile products referred to in paragraph 1 shall not be subject to quantitative restrictions or measures having equivalent effect to such restrictions.

Article 2

1. The origin of the products referred to in Article 1 (1) shall be determined in accordance with the rules in force in the Community.
2. The procedures for control of the origin of the products referred to in Article 1 (1) are laid down in Annex IV.

Article 3

1. The importation into the Community of the textile products listed in Annex III, originating in China and shipped between 1 January 1989 and 31 December 1992 shall be subject to the annual quantitative limits laid down in that Annex.
2. The release for free circulation in the Community of imports subject to the quantitative limits referred to in paragraph 1 shall be subject to the presentation of an import authorization or equivalent document issued by the Member States' authorities in accordance with Article 11.
3. The authorized imports shall be charged against the quantitative limits laid down for the year in which the products are shipped in China. In this Regulation, shipment of products shall be considered to have taken place on the date of their loading onto the exporting aircraft, vehicle or vessel.
4. Imports of products not subject to quantitative limitation before 1 January 1989 which were in the course of shipment to the Community before that date shall not be subject to the quantitative limits referred to in this Article, provided that they were shipped in China before 1 January 1989.

Imports of products not subject to quantitative limitations before 1 January 1989, shipped in China on or after 1 January 1989, shall be subject to and charged against the quantitative limits referred to in paragraph 1. These limits shall not, however, prevent the importation of such products as were shipped in China between 1 January 1989 and the date of entry into force of this Regulation.

5. The release for free circulation of products the importation of which was subject to quantitative limitation before 1 January 1989 and which were shipped before the said date shall continue from that date to be subject to the presentation of the same import documents, and to the same import conditions, as before 1 January 1989.

6. The definition of quantitative limits laid down in Annex III and the categories of products to which they apply shall be adapted in accordance with the procedure laid down in Article 16 where this proves necessary to ensure that any subsequent amendment to the combined nomenclature or any decision amending the classification of such products does not result in a reduction of such quantitative limits.

7. The quantitative limits fixed in Annex III may be adapted in accordance with the procedure laid down in Article 16 in order to take into account changes in classification occurring following the entry into force of the combined nomenclature.

Article 4

1. The quantitative limits referred to in Article 3 shall not apply to the cottage industry and folklore products defined in Annex VI which are accompanied on importation by a certificate issued by the competent authorities of China in accordance with the provisions of Annex VI and which fulfil the other conditions laid down therein.

2. The release for free circulation in the Community of the textile products referred to in paragraph 1 and originating in China shall be granted only for those products covered by an import document issued by the competent authorities of the Member States, provided that similar machine-made products are subject to the quantitative limits referred to in Article 3.

The said import document shall be issued automatically within a maximum of five working days from the date of presentation by the importer of the certificate referred to in paragraph 1, issued by the competent authorities of China.

The import document shall be valid for six months and shall state the grounds for exemption as given in the certificate referred to in paragraph 1.

Article 5

1. Where the Commission finds, in accordance with the procedure laid down in Article 16, that difficulties have arisen in the Community or any of its regions as a result of a sudden and substantial increase in one calendar year by comparison with the preceding year in imports of a Group I category product subject to the quantitative limits laid down in Article 3, originating in China, it may, with the approval of the Committee under the procedure set out in Article 16, open consultations with China, in accordance with the procedure set out in Article 15 with a view to seeking naturally acceptable solutions to the difficulties.

2. The consultations with the supplier country concerned which are provided for in paragraph 1 may lead to the conclusion of an arrangement between that supplier country and the Community or the adoption of joint conclusions.

3. The arrangements provided for in paragraph 2 shall be concluded and the measures provided for in the arrangements or joint conclusions referred to in paragraph 2 shall be adopted in accordance with the procedure laid down in Article 16.

Article 6

1. The quantitative limits referred to in Article 3 shall not apply to products placed in a free zone or imported under the arrangements governing warehouses, temporary importation or inward processing (suspension system).

Where the products referred to in the preceding subparagraph are subsequently released for free circulation, either in the unaltered state or after working or processing, Article 3 (2) shall apply and the products so released shall be charged against the quantitative limit established for the year for which the export licence was issued.

2. Where the authorities in the Member States establish that imports of textile products have been charged against a quantitative limit fixed pursuant to Article 3 and that these products have subsequently been re-exported outside the customs territory of the Community, they shall inform the Commission within four weeks of the quantities concerned and issue additional import authorizations for the same products and the same quantities in accordance with Article 3 (2).

Imports effected under cover of such authorizations shall not be charged against the quantitative limit for the current year or the following year.

Subject to the conditions laid down in Annex VII, re-imports into the Community of textile products after processing in the countries listed in that Annex shall not be subject to the quantitative limits referred to in Article 3 provided that they are effected in accordance with the Regulations on economic outward processing in force in the Community.

Article 7

1. The Community quantitative limits shall be allocated in such a way as to ensure the best possible utilization of these quantitative limits and to attain progressively a more balanced penetration of the markets by means of improved burden sharing among the Member States.

2. The allocation of the Community quantitative limits shall be adjusted in accordance with the procedure laid down in Article 15 and according to the criteria established in paragraph 1 where this proves necessary, particularly in view of trends in patterns of trade, in order to ensure the best possible utilization of the limits.

3. Without prejudice to the provisions of paragraph 2, after 1 June each year China may, after notifying the Commission in advance, transfer the unused quantities of the

shares allocated to Member States of a Community quantitative limit provided for in Article 3 to the shares of the same limit allocated to other Member States, provided that less than 80 % of the share of the Member State from which the transfer is being made has been used and subject to the following percentages of the share to which the transfer is being made:

- 4 % in 1989,
- 8 % in 1990,
- 16 % in 1991.

The percentage in the fourth year of application of the Agreement shall be determined following consultations between the Parties.

4. In cases referred to in paragraph 1 which are of particular economic importance to one or more Member States, the Commission shall, however, refer proposals for amendment of the allocation directly to the Council. The Council shall act upon such proposals in accordance with Article 113 of the Treaty.

Article 8

In order that the Community textile and clothing industry may benefit from the utilization of all the quantitative limits established in Annex III and in particular those established for categories 2, 3 and 37, and in order to contribute to the improvement of supplies to these industries of raw silk, silk waste, angora and cashmere, the Commission shall, at the request of one or more Member States, submit to the Chinese authorities before 1 December of each Agreement year a list of interested manufacturing and processing companies and, where appropriate, the quantities of products requested by the companies concerned.

Article 9

1. China may, after notifying the Commission in advance, utilize the shares allocated to Member State in the following ways:

- (a) Advance utilization during any given year of a portion of a share established for the following year shall be authorized for each category of products up to 5 % of the share for the year of actual utilization.

Such advance imports shall be deducted from the corresponding shares established for the following year.

- (b) Carry-over of amounts not utilized during any given year to the corresponding share for the following year shall be authorized up to 7 % of the share for the year of actual utilization.

- (c) Transfers of quantities in group I categories shall be made only as follows:

- transfers from category 1 to categories 2 and 3 shall be authorized up to 7 % of the share established for the category to which the transfer is made,
- transfers between categories 2 and 3 are governed by the provisions of the Appendix to Annex III,
- transfers between categories 4, 5, 6, 7 and 8 shall be authorized up to 7 % of the share established for the category to which the transfer is made.

Transfers of quantities into the different categories in group II or III may be made from any category in group I, II or III subject to a maximum of 7 % of the share established for the category to which the transfer is made.

The table of equivalence applicable to the abovementioned transfers is given in Annex I.

- (d) The cumulative application of points (a), (b) and (c) may not, in the course of any given year, cause a limit established for the category in question to be exceeded by more than 17 %.

2. In the event of recourse by China to the provisions of paragraph 1, the Commission shall notify the authorities of the Member State concerned, which shall authorize the imports in question in accordance with the double-checking system defined in Annex V.

3. Where a Member State's share has been increased by the application of paragraph 1 above or of Article 10, or where further possibilities for imports into that Member State have been created under Article 10, such increases or further import possibilities shall not be taken into account for the purposes of applying paragraph 1 in the current year or subsequent years.

Article 10

1. Member States which find that they require additional imports for their internal consumption or which consider that their share may not be fully utilized shall notify the Commission accordingly.

2. The quantitative limits laid down in Article 3 may be increased in accordance with the procedure laid down in Article 16 where it appears that additional imports are required.

3. As the request of a Member State which finds that it requires additional imports, either on the occasion of fairs or where it has issued import authorizations or equivalent documents for up to 80 % of its national share, the Commission may, after oral or written consultations with the Member States within the Committee referred to in Article 16, open up additional possibilities for imports into that Member State.

In an emergency, the Commission shall open consultations within the Committee within five working days following

receipt of the request from the Member State concerned and shall take a decision within 15 working days calculated from the same date.

Article 11

1. The authorities of the Member States shall issue the import authorizations or equivalent documents provided for in Article 3 (2) up to the amount of their shares, taking into account the measures taken pursuant to Articles 5, 7, 9 and 10.

2. The import authorizations or equivalent documents shall be issued in accordance with Annex V.

3. The quantities of products covered by the import authorizations or equivalent documents provided for in Article 3 shall be charged against the share of the Member State which issued those authorizations or documents.

4. The competent authorities of the Member State shall cancel import authorizations or equivalent documents already issued in cases where the corresponding export licences have been withdrawn or cancelled by the competent authorities in China. However, if the competent authorities of a Member State have not been informed by the competent authorities of China of the withdrawal or cancellation of an export licence until after the related products have been imported into such Member State, the quantities in question shall be set off against the Member State's quota share for the year during which shipment of products took place.

Article 12

1. The importation into the Community of textile products listed in Annex I, originating in China and not subject to the quantitative limits referred to in Article 3, shall be subject to a system of administrative control.

2. Should imports into the Community of products falling within any given category, referred to in paragraph 1, not subject to the arrangements laid down in Annex VII and originating in China exceed, in relation to the preceding calendar year's total imports into the Community of products in the same category, the percentages indicated below, such imports may be made subject to quantitative limits under the conditions laid down in this Article:

- for all categories of group II products: 5%,
- for all categories of group III products: 10%.

These arrangements may be limited to imports into specific regions of the Community.

3. Should the imports referred to in paragraph 2 into a given region of the Community exceed, in relation to the total quantities calculated for the whole Community according to the percentage specified in paragraph 2, the percentage set

for that region in the table below, such imports may be made subject to quantitative limits in the region in question:

Germany	25,5 %
Benelux	9,5 %
France	16,5 %
Italy	13,5 %
Denmark	2,7 %
Ireland	0,8 %
United Kingdom	21,0 %
Greece	1,5 %
Spain	7,5 %
Portugal	1,5 %

4. Paragraphs 2 and 3 shall not apply where the percentages specified therein have been reached as a result of a fall in total imports into the Community, and not as a result of an increase in exports of products originating in China.

5. Where the Commission finds, in accordance with the procedure laid down in Article 16, that the conditions set out in paragraphs 2 and 3 are fulfilled and considers that a given category of products should be made subject to a quantitative limit, with the concurring opinion of the Committee under the procedure in Article 16:

- (a) it shall open consultations with China, in accordance with the procedure specified in Article 15, with a view to reaching an agreement or joint conclusions on a suitable level of limitation for the category of products in question;
- (b) pending a mutually satisfactory solution, the Commission shall, as a general rule, request China to limit exports of the products in the category concerned to the Community, or to the region or regions of the Community market specified by the Community for a provisional period of three months from the date on which the request for consultation is made. Such provisional limit shall be established at 25 % of the level of imports reached during the calendar year preceding that in which imports exceeded the level resulting from the application of the formula set out in paragraph 2 and gave rise to the request for consultation or 25 % of the level resulting from the application of the formula set out in paragraph 2, whichever is the higher;
- (c) it may, pending the outcome of the requested consultations, apply to the imports of the category of products in question quantitative limits identical to those requested of China pursuant to point (b). These measures shall be without prejudice to the definitive arrangements to be made by the Community, taking into account the results of the consultations.
- (d) The Commission shall refer urgent cases to the Committee provided for in Article 16 within five working days of receipt of the request from the Member State or States setting out the reasons for urgency and

take a decision within five working days of the end of the Committee's deliberations.

- (e) Measures taken pursuant to this paragraph shall be the subject of a Commission communication published without delay in the *Official Journal of the European Communities*.

The consultations with China which are provided for in paragraph 5 (a) may lead to the conclusion of an arrangement between that country and the Community or the adoption of joint conclusions on the introduction and level of quantitative limits.

Such arrangements or joint conclusions shall stipulate that the quantitative limits agreed be administered in accordance with a double-checking system.

7. Should the Community and China be unable in the course of consultations to reach a satisfactory solution within one month following the opening of consultations and, at the latest, within two months following notification of the request for consultations, the Community shall have the right to introduce a definitive quantitative limit at an annual level not lower than the level resulting from the application of the formula set out in paragraph 2 or 106% of the level of imports reached during the calendar year preceding that in which imports exceeded the level resulting from the application of the formula set out in paragraph 2 and gave rise to the request for consultations, whichever is the higher.

8. The arrangements provided for in paragraph 6 shall be concluded and the measures provided for either in paragraphs 5 and 7 or in the arrangements or joint conclusions referred to in paragraph 6 shall be decided in accordance with the procedure laid down in Article 16.

9. The annual level of the quantitative limits laid down in accordance with paragraphs 5 to 8 may not be less than the level of imports into the Community or into the region or regions concerned in 1988, of products of the same category in China.

10. Where the development of total imports into the Community of a product which is subject to a quantitative limit fixed in accordance with paragraphs 5 to 8 renders it necessary, the annual level of that quantitative limit shall be increased, after consultation with China, in accordance with the procedure laid down in Article 15, to ensure compliance with the conditions set out in paragraphs 2 and 3.

11. The quantitative limits fixed in accordance with paragraphs 6 and 8 shall provide for an annual growth rate determined by mutual agreement with China in the context of the consultation procedure laid down in Article 15.

12. The quantitative limits established pursuant to paragraphs 5 to 8 shall not apply to products which have already been dispatched to the Community provided that they were shipped from China for export to the Community before the date of notification of the request for consultations.

13. The quantitative limits established pursuant to paragraphs 5 to 8 shall be administered in accordance with Articles 3, 4, 6, 7, 9, 10 and 11, save as otherwise provided in accordance with the procedure laid down in Article 16.

Article 13

1. For the textile products subject to the quantitative limits referred to in Article 3, Member States shall notify the Commission within the first 10 days of each month of the total quantities, in the appropriate units and by category of products, for which import authorizations have been issued during the preceding months.

2. For the textile products referred to in Annex VI and originating in China, Member States shall notify the Commission within the first 10 days of each month of the total quantities, in the appropriate units and by category of products, for which import documents have been issued in accordance with Article 4 (2) during the preceding month.

For the textile products referred to in Annexes I and II, Member States shall notify the Commission monthly, within 30 days of the end of each month, of the total quantities imported during that month, indicating the combined nomenclature code and using the units and, where appropriate, the supplementary units, used in that code. Imports shall be broken down according to the statistical procedures in force.

3. For products cited in paragraph 1 of Annex VI, Member States shall notify the Commission monthly, within 30 days following the end of each month, of the best information available on the total quantities imported during that month, in the appropriate units and by category of products.

4. In order to enable market trends in the products covered by this Regulation to be monitored, Member States shall communicate to the Commission, before 31 March each year, statistical data on exports for the preceding year. The statistical data relating to the production and consumption of each product shall be forwarded under arrangements to be determined subsequently pursuant to the procedure laid down in Article 16.

5. Where the nature of the products or particular circumstances so require, the Commission may, at the request of a Member State or on its own initiative, alter the time limits for communicating the abovementioned information under the procedure laid down in Article 16.

6. Member States shall notify the Commission under conditions set in accordance with the procedure laid down in Article 16 of all other particulars deemed under that procedure to be necessary in order to ensure compliance with the obligations agreed between the Community and China.

7. In the urgent cases referred to in Article 12 (5) (d), the Member State or States concerned shall send the necessary

import statistics and economic data to the Commission and the other Member States by telex.

Article 14

1. Where, following the enquiries carried out in accordance with the procedures established under Annex IV, the Commission notes that the information in its possession constitutes proof that products originating in China and subject to the quantitative limits referred to in Article 3 or introduced under Article 12 have been transhipped, re-routed or otherwise imported into the Community through circumvention of such quantitative limits and that there is need for the necessary adjustments to be made, it shall request that consultations be opened, in accordance with the procedure described in Article 15, so that agreement may be reached on an equivalent adjustment of the corresponding quantitative limits.

2. Pending the outcome of the consultations referred to in paragraph 1, the Commission may ask China to take the necessary precautionary steps to ensure that adjustments to the quantitative limits agreed on following such consultations may be carried out for the year in which the request for consultations was lodged, or for the following year if the quantitative limit for the current year is exhausted, where there is clear evidence of circumvention.

3. If the Community and China fail to arrive at a satisfactory solution within the period stipulated in Article 15 and if the Commission notes that there is clear evidence of circumvention, it shall deduct from the quantitative limits an equivalent volume of products originating in China, in accordance with the procedure laid down in Article 16.

4. The agreements provided for in paragraph 1 shall be concluded and the measures provided for either in paragraph 3 or in the agreements referred to in paragraph 1 shall be adopted in accordance with the procedure laid down in Article 16.

Article 15

1. The Commission shall conduct the consultations referred to in the Regulation other than those referred to in paragraph 2, in accordance with the following rules:

- the Commission shall notify China of the request for consultations,
- the request for consultations shall be followed within a reasonable period (and in any case not later than 15 days following the notification) by a statement setting out the reasons and circumstances which, in the Commission's opinion, justify the submission of such a request,
- the Commission shall initiate consultations, within one month at the latest of notification of the request, with a

view to reaching agreement or a mutually acceptable conclusion within one further month at the latest.

2. The consultations referred to in Article 5 shall be governed by the following rules:

- the Commission shall notify China of the request for consultations, together with a statement setting out the reasons and circumstances which, in the Commission's opinion, justify the submission of such a request,
- the Commission shall initiate consultations within 15 days at the latest of notification of the request, with a view to reaching agreement or a mutually acceptable conclusion within 15 days at the latest.

Article 16

1. The Committee referred to in this Article shall, for the purpose and period of application of this Regulation, be the Textile Committee set up under Article 15 of Regulation (EEC) No 4136/86.

2. Where reference is made to the procedure laid down in this Article, the chairman, on his own initiative or at the request of a Member State, shall refer the matter to the Committee.

3. The Commission representative shall lay draft measures before the Committee. The Committee shall deliver an opinion on the draft measures within a period which may be fixed by the chairman in accordance with the degree of urgency of the matter. The Committee shall decide by the majority specified in Article 148 (2) of the EEC Treaty for the adoption of acts by the Council on a proposal from the Commission. In the case of votes within the Committee, the votes of Member States' representatives shall be weighted in accordance with the abovementioned Article. The chairman shall not vote.

4. (a) The Commission shall adopt the measures proposed where they are in conformity with the Committee's opinion.

(b) Where the measures proposed are not in conformity with the Committee's opinion, or where no opinion has been given, the Commission shall present to the Council, without delay, a proposal for the measures to be taken. The Council shall act by a qualified majority.

(c) Should the Council fail to take a decision within one month of the date on which the proposal was laid before it, the Commission shall adopt the proposed measures.

5. The chairman may, on his own initiative or at the request of one of the Member States' representatives, consult the Committee about any other matter relating to the operation of this Regulation.

Article 17

The Member States shall inform the Commission forthwith of all measures taken pursuant to this Regulation and of all laws, regulations or administrative provisions concerning arrangements for importation of the products covered by this Regulation.

Article 18

Amendments to the Annexes to this Regulation which may be necessary to take into account the conclusion, amendment or expiry of agreements with third countries or amendments

made to Community rules on statistics, customs arrangements or common import arrangements shall be adopted in accordance with the procedure laid down in Article 16.

Article 19

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 January 1989 until 31 December 1992.

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

Done at Luxembourg, 12 June 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

ANNEX I

PRODUCTS REFERRED TO IN ARTICLE 1 (1)

1. When the constitutive material of the products of categories 1 to 114 is not specifically mentioned, these products are to be taken to be made exclusively of wool or of fine hair, of cotton or of man-made fibres.
2. Garments which are not recognizable as being garments for men or boys or as being garments for women or girls are classified with the latter.
3. Where the expression 'babies' garments' is used, this is meant also to cover girls' garments up to and including commercial size 86.

GROUP I A

Category	CN code	Description	Table of equivalence	
			pieces/kg	g/piece
(1)	(2)	(3)	(4)	(5)
1	5204 11 00 5204 19 00 5205 11 00 5205 12 00 5205 13 00 5205 14 00 5205 15 10 5205 15 90 5205 21 00 5205 22 00 5205 23 00 5205 24 00 5205 25 10 5205 25 30 5205 25 90 5205 31 00 5205 32 00 5205 33 00 5205 34 00 5205 35 10 5205 35 90 5205 41 00 5205 42 00 5205 43 00 5205 44 00 5205 45 10 5205 45 30 5205 45 90 5206 11 00 5206 12 00 5206 13 00 5206 14 00 5206 15 10 5206 15 90 5206 21 00 5206 22 00 5206 23 00 5206 24 00 5206 25 10 5206 25 90 5206 31 00 5206 32 00 5206 33 00	Cotton yarn, not put up for retail sale		

(1)	(2)	(3)	(4)	(5)
1 (cont'd)	5206 34 00 5206 35 10 5206 35 90 5206 41 00 5206 42 00 5206 43 00 5206 44 00 5206 45 10 5206 45 90 ex 5604 90 00			
2	5208 11 10 5208 11 90 5208 12 11 5208 12 13 5208 12 15 5208 12 19 5208 12 91 5208 12 93 5208 12 95 5208 12 99 5208 13 00 5208 19 00 5208 21 10 5208 21 90 5208 22 11 5208 22 13 5208 22 15 5208 22 19 5208 22 91 5208 22 93 5208 22 95 5208 22 99 5208 23 00 5208 29 00 5208 31 00 5208 32 11 5208 32 13 5208 32 15 5208 32 19 5208 32 91 5208 32 93 5208 32 95 5208 32 99 5208 33 00 5208 39 00 5208 41 00 5208 42 00 5208 43 00 5208 49 00 5208 51 00 5208 52 10 5208 52 90 5208 53 00 5208 59 00 5209 11 00 5209 12 00 5209 19 00 5209 21 00 5209 22 00 5209 29 00 5209 31 00 5209 32 00 5209 39 00 5209 41 00 5209 42 00 5209 43 00	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics:		

(1)	(2)	(3)	(4)	(5)
2 (cont'd)	5209 49 10 5209 49 90 5209 51 00 5209 52 00 5209 59 00			
	5210 11 10 5210 11 90 5210 12 00 5210 19 00 5210 21 10 5210 21 90 5210 22 00 5210 29 00 5210 31 10 5210 31 90 5210 32 00 5210 39 00 5210 41 00 5210 42 00 5210 49 00 5210 51 00 5210 52 00 5210 59 00			
	5211 11 00 5211 12 00 5211 19 00 5211 21 00 5211 22 00 5211 29 00 5211 31 00 5211 32 00 5211 39 00 5211 41 00 5211 42 00 5211 43 00 5211 49 11 5211 49 19 5211 49 90 5211 51 00 5211 52 00 5211 59 00			
	5212 11 10 5212 11 90 5212 12 10 5212 12 90 5212 13 10 5212 13 90 5212 14 10 5212 14 90 5212 15 10 5212 15 90 5212 21 10 5212 21 90 5212 22 10 5212 22 90 5212 23 10 5212 23 90 5212 24 10 5212 24 90 5212 25 10 5212 25 90			
	ex 5811 00 00			
	ex 6308 00 00			

(1)	(2)	(3)	(4)	(5)
2 a)	5208 31 00 5208 32 11 5208 32 13 5208 32 15 5208 32 19 5208 32 91 5208 32 93 5208 32 95 5208 32 99 5208 33 00 5208 39 00 5208 41 00 5208 42 00 5208 43 00 5208 49 00 5208 51 00 5208 52 10 5208 52 90 5208 53 00 5208 59 00 5209 31 00 5209 32 00 5209 39 00 5209 41 00 5209 42 00 5209 43 00 5209 49 10 5209 49 90 5209 51 00 5209 52 00 5209 59 00 5210 31 10 5210 31 90 5210 32 00 5210 39 00 5210 41 00 5210 42 00 5210 49 00 5210 51 00 5210 52 00 5210 59 00 5211 31 00 5211 32 00 5211 39 00 5211 41 00 5211 42 00 5211 43 00 5211 49 11 5211 49 19 5211 49 90 5211 51 00 5211 52 00 5211 59 00 5212 13 10 5212 13 90 5212 14 10 5212 14 90 5212 15 10 5212 15 90 5212 23 10 5212 23 90 5212 24 10 5212 24 90 5212 25 10 5212 25 90 ex 5811 00 00 ex 6308 00 00	a) Of which: Other than unbleached or bleached		

(1)	(2)	(3)	(4)	(5)
3	5512 11 00 5512 19 10 5512 19 90 5512 21 00 5512 29 10 5512 29 90 5512 91 00 5512 99 10 5512 99 90 5513 11 10 5513 11 30 5513 11 90 5513 12 00 5513 13 00 5513 19 00 5513 21 10 5513 21 30 5513 21 90 5513 22 00 5513 23 00 5513 29 00 5513 31 00 5513 32 00 5513 33 00 5513 39 00 5513 41 00 5513 42 00 5513 43 00 5513 49 00 5514 11 00 5514 12 00 5514 13 00 5514 19 00 5514 21 00 5514 22 00 5514 23 00 5514 29 00 5514 31 00 5514 32 00 5514 33 00 5514 39 00 5514 41 00 5514 42 00 5514 43 00 5514 49 00 5515 11 10 5515 11 30 5515 11 90 5515 12 10 5515 12 30 5515 12 90 5515 13 11 5515 13 19 5515 13 91 5515 13 99 5515 19 10 5515 19 30 5515 19 90 5515 21 10 5515 21 30 5515 21 90 5515 22 11 5515 22 19 5515 22 91 5515 22 99 5515 29 10 5515 29 30	Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics		

(1)	(2)	(3)	(4)	(5)
3 (cont'd)	5515 29 90 5515 91 10 5515 91 30 5515 91 90 5515 92 11 5515 92 19 5515 92 91 5515 92 99 5515 99 10 5515 99 30 5515 99 90			
	5803 90 30			
	ex 5905 00 70			
	ex 6308 00 00			
3 a)	5512 19 10 5512 19 90 5512 29 10 5512 29 90 5512 99 10 5512 99 90	a) Of which: Other than unbleached or bleached		
	5513 21 10 5513 21 30 5513 21 90 5513 22 00 5513 23 00 5513 29 00 5513 31 00 5513 32 00 5513 33 00 5513 39 00 5513 41 00 5513 42 00 5513 43 00 5513 49 00			
	5514 21 00 5514 22 00 5514 23 00 5514 29 00 5514 31 00 5514 32 00 5514 33 00 5514 39 00 5514 41 00 5514 42 00 5514 43 00 5514 49 00			
	5515 11 30 5515 11 90 5515 12 30 5515 12 90 5515 13 19 5515 13 99 5515 19 30 5515 19 90 5515 21 30 5515 21 90 5515 22 19 5515 22 99 5515 29 30 5515 29 90 5515 91 30 5515 91 90			

(1)	(2)	(3)	(4)	(5)
3 à (cont'd)	5515 92 19 5515 92 99 5515 99 30 5515 99 90 5803 90 30 ex 5905 00 70 ex 6308 00 00			

GROUP I B

(1)	(2)	(3)	(4)	(5)
4	6105 10 00 6105 20 10 6105 20 90 6105 90 10 6109 10 00 6109 90 10 6109 90 30 6110 20 10 6110 30 10	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undervests and the like, knitted or crocheted	6,48	154
5	6101 10 90 6101 20 90 6101 30 90 6102 10 90 6102 20 90 6102 30 90 6110 10 10 6110 10 31 6110 10 39 6110 10 91 6110 10 99 6110 20 91 6110 20 99 6110 30 91 6110 30 99	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted	4,53	221
6	6203 41 10 6203 41 90 6203 42 31 6203 42 33 6203 42 35 6203 42 90 6203 43 19 6203 43 90 6203 49 19 6203 49 50 6204 61 10 6204 62 31 6204 62 33 6204 62 35 6204 63 19 6204 69 19	Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls woven trousers and slacks, of wool, of cotton or of man-made fibres	1,76	568
7	6106 10 00 6106 20 00 6106 90 10 6206 20 00 6206 30 00 6206 40 00	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, cotton or man-made fibres	5,55	180
8	6205 10 00 6205 20 00 6205 30 00	Men's or boys' shirts, other than knitted or crocheted, of wool, cotton or man-made fibres	4,60	217

GROUP II A

(1)	(2)	(3)	(4)	(5)
9	5802 11 00 5802 19 00 ex 6302 60 00	Terry towelling and similar woven terry fabrics of cotton; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton		
20	6302 21 00 6302 22 90 6302 29 90 6302 31 10 6302 31 90 6302 32 90 6302 39 90	Bed linen, other than knitted or crocheted		
22	5508 10 11 5508 10 19 5509 11 00 5509 12 00 5509 21 10 5509 21 90 5509 22 10 5509 22 90 5509 31 10 5509 31 90 5509 32 10 5509 32 90 5509 41 10 5509 41 90 5509 42 10 5509 42 90 5509 51 00 5509 52 10 5509 52 90 5509 53 00 5509 59 00 5509 61 10 5509 61 90 5509 62 00 5509 69 00 5509 91 10 5509 91 90 5509 92 00 5509 99 00	Yarn of staple or waste synthetic fibres, not put up for retail sale		
22 a)	5508 10 19	a) Of which acrylic		
23	5508 20 10 5510 11 00 5510 12 00 5510 20 00 5510 30 00 5510 90 00	Yarn of staple or waste artificial fibres, not put up for retail sale		

(1)	(2)	(3)	(4)	(5)
32	5801 10 00 5801 21 00 5801 22 00 5801 23 00 5801 24 00 5801 25 00 5801 26 00 5801 31 00 5801 32 00 5801 33 00 5801 34 00 5801 35 00 5801 36 00 5802 20 00 5802 30 00	Woven pile fabrics and chenille fabrics (other than terry towelling or terry fabrics of cotton and narrow woven fabrics) and tufted textile surfaces, of wool, of cotton or of man-made textile fibres		
32 a)	5801 22 00	a) Of which: Cotton corduroy		
39	6302 51 10 6302 51 90 6302 53 90 ex 6302 59 00 6302 91 10 6302 91 90 6302 93 90 ex 6302 99 00	Table linen, toilet and kitchen linen, other than knitted or crocheted, other than of terry towelling or similar terry fabrics of cotton		

GROUP II B

(1)	(2)	(3)	(4)	(5)
12	6115 12 00 6115 19 10 6115 19 90 6115 20 11 6115 20 90 6115 91 00 6115 92 00 6115 93 10 6115 93 30 6115 93 99 6115 99 00	Panty-hose and tights, stockings, understockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70	24,3 pairs	41
13	6107 11 00 6107 12 00 6107 19 00 6108 21 00 6108 22 00 6108 29 00	Men's or boys' underpants and briefs, women's or girls' knickers and briefs, knitted or crocheted, of wool, cotton or man-made fibres.	17	59
14	6201 11 00 ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6210 20 00	Men's or boys' woven overcoats, raincoats and other coats, cloaks and capes, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21)	0,72	1 389
15	6202 11 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 6202 13 90 6204 31 00 6204 32 90 6204 33 90 6204 39 19 6210 30 00	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21)	0,84	1 190
16	6203 11 00 6203 12 00 6203 19 10 6203 19 30 6203 21 00 6203 22 90 6203 23 90 6203 29 19	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits	0,80	1 250
17	6203 31 00 6203 32 90 6203 33 90 6203 39 19	Men's or boys' jackets and blazers, other than knitted or crocheted, of wool, of cotton or of man-made fibres	1,43	700
18	6207 11 00 6207 19 00 6207 21 00 6207 22 00 6207 29 00 6207 91 00	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, other than knitted or crocheted		

(1)	(2)	(3)	(4)	(5)
18 (cont'd)	6207 92 00 6207 99 00 6208 11 00 6208 19 10 6208 19 90 6208 21 00 6208 22 00 6208 29 00 6208 91 10 6208 91 90 6208 92 10 6208 92 90 6208 99 00	Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, other than knitted or crocheted		
19	6213 20 00 6213 90 00	Handkerchiefs, other than knitted or crocheted	59	17
21	ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6201 91 00 6201 92 00 6201 93 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6202 91 00 6202 92 00 6202 93 00	Parkas; anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or man-made fibres	2,3	435
24	6107 21 00 6107 22 00 6107 29 00 6107 91 00 6107 92 00 ex 6107 99 00 6108 31 10 6108 31 90 6108 32 11 6108 32 19 6108 32 90 6108 39 00 6108 91 00 6108 92 00 6108 99 10	Men's or boys' nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted Women's or girls' nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, knitted or crocheted	3,9	257
26	6104 41 00 6104 42 00 6104 43 00 6104 44 00 6204 41 00 6204 42 00 6204 43 00 6204 44 00	Women's or girls' dresses, of wool, of cotton or man-made fibres	3,1	323
27	6104 51 00 6104 52 00 6104 53 00 6104 59 00	Women's or girls' skirts, including divided skirts	2,6	385

(1)	(2)	(3)	(4)	(5)
27 (cont'd)	6204 51 00 6204 52 00 6204 53 00 6204 59 10			
28	6103 41 10 6103 41 90 6103 42 10 6103 42 90 6103 43 10 6103 43 90 6103 49 10 6103 49 91 6104 61 10 6104 61 90 6104 62 10 6104 62 90 6104 63 10 6104 63 90 6104 69 10 6104 69 91	Trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted, of wool, of cotton or man-made fibres	1,61	620
29	6204 11 00 6204 12 00 6204 13 00 6204 19 10 6204 21 00 6204 22 90 6204 23 90 6204 29 19	Women's or girls' suits and ensembles, other than knitted or crocheted, of wool, of cotton or man-made fibres, excluding ski suits	1,37	730
31	6212 10 00	Brassières, woven, knitted or crocheted	18,2	55
68	6111 10 90 6111 20 90 6111 30 90 ex 6111 90 00 ex 6209 10 00 ex 6209 20 00 ex 6209 30 00 ex 6209 90 00	Babies' garments and clothing accessories, excluding babies' gloves, mittens and mitts of categories 10 and 87, and babies' stockings, socks and sockettes, other than knitted or crocheted, of category 88		
73	6112 11 00 6112 12 00 6112 19 00	Track suits of knitted or crocheted fabric, of wool, of cotton or of man-made textile fibres	1,67	600
76	6203 22 10 6203 23 10 6203 29 11 6203 32 10 6203 33 10 6203 39 11 6203 42 11 6203 42 51 6203 43 11 6203 43 31 6203 49 11 6203 49 31 6204 22 10 6204 23 10 6204 29 11	Men's or boys' industrial or occupational clothing, other than knitted or crocheted Women's or girls' aprons, smock-overalls and other industrial or occupational clothing, other than knitted or crocheted		

(1)	(2)	(3)	(4)	(5)
76 (cont'd)	6204 32 10 6204 33 10 6204 39 11 6204 62 11 6204 62 51 6204 63 11 6204 63 31 6204 69 11 6204 69 31 6211 32 10 6211 33 10 6211 42 10 6211 43 10			
77	ex 6211 20 00	Ski suits, other than knitted or crocheted		
78	6203 41 30 6203 42 59 6203 43 39 6203 49 39 6204 61 80 6204 61 90 6204 62 59 6204 62 90 6204 63 39 6204 63 90 6204 69 39 6204 69 50 6210 40 00 6210 50 00 6211 31 00 6211 32 90 6211 33 90 6211 41 00 6211 42 90 6211 43 90	Garments, other than knitted or crocheted, excluding garments of categories 6, 7, 8, 14, 15, 16, 17, 18, 21, 26, 27, 29, 68, 72, 76 and 77		
83	6101 10 10 6101 20 10 6101 30 10 6102 10 10 6102 20 10 6102 30 10 6103 31 00 6103 32 00 6103 33 00 ex 6103 39 00 6104 31 00 6104 32 00 6104 33 00 ex 6104 39 00 ex 6112 20 00 6113 00 90 6114 10 00 6114 20 00 6114 30 00	Overcoats, jackets, blazers and other garments, including ski suits, knitted or crocheted, excluding garments of categories 4, 5, 7, 13, 24, 26, 27, 28, 68, 69, 72, 73, 74, 75		

GROUP III A

(1)	(2)	(3)	(4)	(5)
33	5407 20 11 6305 31 91 6305 31 99	Woven fabrics of synthetic filament yarn obtained from strip or the like of polyethylene or polypropylene, less than 3 m wide Sacks and bags, of a kind used for the packing of goods, not knitted or crocheted, obtained from strip or the like		
34	5407 20 19	Woven fabrics of synthetic filament yarn, obtained from strip or the like of polyethylene or polypropylene, 3 m or more wide		
35	5407 10 00 5407 20 90 5407 30 00 5407 41 00 5407 42 10 5407 42 90 5407 43 00 5407 44 10 5407 44 90 5407 51 00 5407 52 00 5407 53 10 5407 53 90 5407 54 00 5407 60 10 5407 60 30 5407 60 51 5407 60 59 5407 60 90 5407 71 00 5407 72 00 5407 73 10 5407 73 91 5407 73 99 5407 74 00 5407 81 00 5407 82 00 5407 83 10 5407 83 90 5407 84 00 5407 91 00 5407 92 00 5407 93 10 5407 93 90 5407 94 00 ex 5811 00 00 ex 5905 00 70	Woven fabrics of synthetic fibres (continuous), other than those for tyres of category 114		
35 a)	5407 42 10 5407 42 90 5407 43 00 5407 44 10 5407 44 90 5407 52 00 5407 53 10 5407 53 90 5407 54 00 5407 60 30 5407 60 51 5407 60 59 5407 60 90	a) Of which: Other than unbleached or bleached		

(1)	(2)	(3)	(4)	(5)
35 a) (cont'd)	5407 72 00 5407 73 10 5407 73 91 5407 73 99 5407 74 00 5407 82 00 5407 83 10 5407 83 90 5407 84 00 5407 92 00 5407 93 10 5407 93 90 5407 94 00 ex 5811 00 00 ex 5905 00 70			
36	5408 10 00 5408 21 00 5408 22 10 5408 22 90 5408 23 10 5408 23 90 5408 24 00 5408 31 00 5408 32 00 5408 33 00 5408 34 00 ex 5811 00 00 ex 5905 00 70	Woven fabrics of continuous artificial fibres, other than those for tyres of category 114		
36 a)	5408 10 00 5408 22 10 5408 22 90 5408 23 10 5408 23 90 5408 24 00 5408 32 00 5408 33 00 5408 34 00 ex 5811 00 00 ex 5905 00 70	a) Of which: Other than unbleached or bleached		
37	5516 11 00 5516 12 00 5516 13 00 5516 14 00 5516 21 00 5516 22 00 5516 23 10 5516 23 90 5516 24 00 5516 31 00 5516 32 00 5516 33 00 5516 34 00 5516 41 00 5516 42 00 5516 43 00 5516 44 00 5516 91 00	Woven fabrics of artificial staple fibres		

(1)	(2)	(3)	(4)	(5)
37 (cont'd)	5516 92 00 5516 93 00 5516 94 00 5803 90 50 ex 5905 00 70			
37 a)	5516 12 00 5516 13 00 5516 14 00 5516 22 00 5516 23 10 5516 23 90 5516 24 00 5516 32 00 5516 33 00 5516 34 00 5516 42 00 5516 43 00 5516 44 00 5516 92 00 5516 93 00 5516 94 00 5803 90 50 ex 5905 00 70	a) Of which: Other than unbleached or bleached		
38 A	6002 43 11 6002 93 10	Knitted or crocheted synthetic curtain fabric including net curtain fabric		
38 B	ex 6303 91 00 ex 6303 92 90 ex 6303 99 90	Net curtains, other than knitted or crocheted		
40	ex 6303 91 00 ex 6303 92 90 ex 6303 99 90 6304 19 10 ex 6304 19 90 6304 92 00 ex 6304 93 00 ex 6304 99 00	Woven curtains (including drapes, interior blinds, curtain and bed valances and other furnishing articles), other than knitted or crocheted, of wool, of cotton or of man-made fibres		
41	5401 10 11 5401 10 19 5402 10 10 5402 10 90 5402 20 00 5402 31 10 5402 31 30 5402 31 90 5402 32 00 5402 33 10 5402 33 90 5402 39 10 5402 39 90 5402 49 10 5402 49 91 5402 49 99 5402 51 10 5402 51 30	Yarn of synthetic filament (continuous), not put up for retail sale, other than non-textured single yarn untwisted or with a twist of not more than 50 turns per metre		

(1)	(2)	(3)	(4)	(5)
41 (cont'd)	5402 51 90 5402 52 10 5402 52 90 5402 59 10 5402 59 90 5402 61 10 5402 61 30 5402 61 90 5402 62 10 5402 62 90 5402 69 10 5402 69 90 ex 5604 20 00 ex 5604 90 00			
42	5401 20 10 5403 10 00 5403 20 10 5403 20 90 ex 5403 32 00 5403 33 90 5403 39 00 5403 41 00 5403 42 00 5403 49 00 ex 5604 20 00	Yarn of continuous man-made fibres, not put up for retail sale: Yarn of artificial fibres; yarn of artificial filaments, not put up for retail sale, other than single yarn of viscose rayon untwisted or with a twist of not more than 250 turns per metre and single non-textured yarn of cellulose acetate		
43	5204 20 00 5207 10 00 5207 90 00 5401 10 90 5401 20 90 5406 10 00 5406 20 00 5508 20 90 5511 30 00	Yarn of man-made filament, yarn of staple artificial fibres, cotton yarn, put up for retail sale		
46	5105 10 00 5105 21 00 5105 29 00 5105 30 10 5105 30 90	Carded or combed sheep's or lambs' wool or other fine animal hair		
47	5106 10 10 5106 10 90 5106 20 11 5106 20 19 5106 20 91 5106 20 99 5108 10 10 5108 10 90	Yarn of carded sheep's or lambs' wool (woollen yarn) or of carded fine animal hair, not put up for retail sale		
48	5107 10 10 5107 10 90 5107 20 10 5107 20 30	Yarn of combed sheep's or lambs' wool (worsted yarn) or of combed fine animal hair, not put up for retail sale		

(1)	(2)	(3)	(4)	(5)
48 (cont'd)	5107 20 51 5107 20 59 5107 20 91 5107 20 99 5108 20 10 5108 20 90			
49	5109 10 10 5109 10 90 5109 90 10 5109 90 90	Yarn of sheep's or lambs' wool or of fine animal hair, put up for retail sale		
50	5111 11 00 5111 19 10 5111 19 90 5111 20 00 5111 30 10 5111 30 30 5111 30 90 5111 90 10 5111 90 91 5111 90 93 5111 90 99 5112 11 00 5112 19 10 5112 19 90 5112 20 00 5112 30 10 5112 30 30 5112 30 90 5112 90 10 5112 90 91 5112 90 93 5112 90 99	Woven fabrics of sheep's or lambs' wool or of fine animal hair		
51	5203 00 00	Cotton, carded or combed		
53	5803 10 00	Cotton gauze		
54	5507 00 00	Staple artificial fibres, including waste, carded, combed or otherwise processed for spinning		
55	5506 10 00 5506 20 00 5506 30 00 5506 90 10 5506 90 91 5506 90 99	Synthetic staple fibres, including waste, carded or combed or otherwise processed for spinning		
56	5508 10 90 5511 10 00 5511 20 00	Yarn of staple synthetic fibres (including waste), put up for retail sale		
58	5701 10 10 5701 10 91 5701 10 93 5701 10 99 5701 90 10 5701 90 90	Carpets, carpetines and rugs, knotted (made up or not).		

(1)	(2)	(3)	(4)	(5)
59	5702 10 00 5702 31 10 5702 31 30 5702 31 90 5702 32 10 5702 32 90 5702 39 10 5702 41 10 5702 41 90 5702 42 10 5702 42 90 5702 49 10 5702 51 00 5702 52 00 ex 5702 59 00 5702 91 00 5702 92 00 ex 5702 99 00 5703 10 10 5703 10 90 5703 20 11 5703 20 19 5703 20 91 5703 20 99 5703 30 11 5703 30 19 5703 30 51 5703 30 59 5703 30 91 5703 30 99 5703 90 10 5703 90 90 5704 10 00 5704 90 00 5705 00 10 5705 00 31 5705 00 39 ex 5705 00 90	Carpets and other textile floor coverings, other than the carpets of category 58		
60	5805 00 00	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needleworked tapestries (for example, petit point and cross stitch) made in panels and the like by hand		
61	ex 5806 10 00 5806 20 00 5806 31 10 5806 31 90 5806 32 10 5806 32 90 5806 39 00 5806 40 00	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than labels and similar articles of category 62. Elastic fabrics and trimmings (not knitted or crocheted), made from textile materials assembled from rubber thread		
62	5606 00 91 5606 00 99 5804 10 11 5804 10 19 5804 10 90 5804 21 10 5804 21 90 5804 29 10 5804 29 90 5804 30 00	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn and gimped horsehair yarn): Tulle and other net fabrics but not including woven, knitted or crocheted fabrics, hand or mechanically-made lace, in the piece, in strips or in motifs		

(1)	(2)	(3)	(4)	(5)
62 (cont'd)	5807 10 10 5807 10 90 5808 10 00 5808 90 00 5810 10 10 5810 10 90 5810 91 10 5810 91 90 5810 92 10 5810 92 90 5810 99 10 5810 99 90	Labels, badges and the like of textile materials, not embroidered, in the piece, in strips or cut to shape or size, woven Braids and ornamental trimmings in the piece; tassels, pompoms and the like Embroidery, in the piece, in strips or in motifs		
63	5906 91 00 ex 6002 10 10 6002 10 90 ex 6002 30 10 6002 30 90 ex 6001 10 00 6002 20 31 6002 43 19	Knitted or crocheted fabric of synthetic fibres containing by weight 5 % or more of elastomeric yarn and knitted or crocheted fabric containing by weight 5 % or more of rubber thread Raschel lace and long-pile fabric of synthetic fibres		
65	5606 00 10 ex 6001 10 00 6001 21 00 6001 22 00 6001 29 10 6001 91 10 6001 91 30 6001 91 50 6001 91 90 6001 92 10 6001 92 30 6001 92 50 6001 92 90 6001 99 10 ex 6002 10 10 6002 20 10 6002 20 39 6002 20 50 6002 20 70 ex 6002 30 10 6002 41 00 6002 42 10 6002 42 30 6002 42 50 6002 42 90 6002 43 31 6002 43 33 6002 43 35 6002 43 39 6002 43 50 6002 43 91 6002 43 93 6002 43 95 6002 43 99 6002 91 00 6002 92 10 6002 92 30 6002 92 50	Knitted or crocheted fabric other than those of categories 38 A and 63, of wool, of cotton or of man-made fibres		

(1)	(2)	(3)	(4)	(5)
65 (cont'd)	6002 92 90 6002 93 31 6002 93 33 6002 93 35 6002 93 39 6002 93 91 6002 93 99			
66	6301 10 00 6301 20 91 6301 20 99 6301 30 90 ex 6301 40 90 ex 6301 90 90	Travelling rugs and blankets, other than knitted or crocheted, of wool, of cotton or of man-made fibres		

GROUP III B

(1)	(2)	(3)	(4)	(5)
10	6111 10 10 6111 20 10 6111 30 10 ex 6111 90 00 6116 10 10 6116 10 90 6116 91 00 6116 92 00 6116 93 00 6116 99 00	Gloves, mittens and mitts, knitted or crocheted	17 pairs	59
67	5807 90 90 6113 00 10 6117 10 00 6117 20 00 6117 80 10 6117 80 90 6117 90 00 6301 20 10 6301 30 10 6301 40 10 6301 90 10 6302 10 10 6302 10 90 6302 40 00 ex 6302 60 00 6303 11 00 6303 12 00 6303 19 00 6304 11 00 6304 91 00 ex 6305 20 00 ex 6305 39 00 ex 6305 90 00 6305 31 10 6307 10 10 6307 90 10	Knitted or crocheted clothing accessories other than for babies; household linen of all kinds, knitted or crocheted; curtains (including drapes) and interior blinds, curtain or bed valances and other furnishing articles knitted or crocheted; knitted or crocheted blankets and travelling-rugs, other knitted or crocheted articles including parts of garments or of clothing accessories		
67 a)	6305 31 10	a) Of which: Sacks and bags of a kind used for the packing of goods, made from polyethylene or polypropylene strip		
69	6108 11 10 6108 11 90 6108 19 10 6108 19 90	Women's or girls' slips and petticoats, knitted or crocheted	7,8	128
70	6115 11 00 6115 20 19 6115 93 91	Panty-hose and tights of synthetic fibres, measuring per single yarn less than 67 decitex (6,7 tex) Women's full-length hosiery of synthetic fibres	30,4 pairs	33

(1)	(2)	(3)	(4)	(5)
72	6112 31 10 6112 31 90 6112 39 10 6112 39 90 6112 41 10 6112 41 90 6112 49 10 6112 49 90 6211 11 00 6211 12 00	Swimwear, of wool, of cotton or of man-made fibres	9,7	103
74	6104 11 00 6104 12 00 6104 13 00 ex 6104 19 00 6104 21 00 6104 22 00 6104 23 00 ex 6104 29 00	Women's or girls knitted or crocheted suits and ensembles, of wool, of cotton or man-made fibres, excluding ski suits	1,54	650
75	6103 11 00 6103 12 00 6103 19 00 6103 21 00 6103 22 00 6103 23 00 6103 29 00	Men's or boys' knitted or crocheted suits and ensembles, of wool, of cotton or of man-made fibres, excluding ski suits	0,80	1 250
84	6214 20 00 6214 30 00 6214 40 00 6214 90 10	Shawls, scarves, mufflers, mantillas, veils and the like other than knitted or crocheted, of wool, of cotton or man-made fibres		
85	6215 20 00 6215 90 00	Ties, bow ties and cravats not knitted or crocheted, of wool, of cotton or man-made fibres	17,9	56
86	6212 20 00 6212 30 00 6212 90 00	Corsets, corset-belts, suspender belts, braces, suspenders, garters and the like, and parts thereof, whether or not knitted or crocheted	8,8	114
87	6216 00 00 ex 6209 10 00 ex 6209 20 00 ex 6209 30 00 ex 6209 90 00	Gloves, mittens and mitts, not knitted or crocheted		
88	6217 10 00 6217 90 00 ex 6209 10 00 ex 6209 20 00 ex 6209 30 00 ex 6209 90 00	Stockings, socks and sockettes, not knitted or crocheted; other clothing accessories, parts of garments or of clothing accessories, other than for babies, other than knitted or crocheted		

(1)	(2)	(3)	(4)	(5)
90	5607 41 00 5607 49 11 5607 49 19 5607 49 90 5607 50 11 5607 50 19 5607 50 30 5607 50 90	Twine, cordage, ropes and cables of synthetic fibres, plaited or not		
91	6306 21 00 6306 22 00 6306 29 00	Tents		
93	ex 6305 20 00 ex 6305 39 00	Sacks and bags, of a kind used for the packing of goods of woven fabrics, other than made from polyethylene or polypropylene strip		
94	5601 10 10 5601 10 90 5601 21 10 5601 21 90 5601 22 10 5601 22 91 5601 22 99 5601 29 00 5601 30 00	Wadding of textile materials and articles thereof; textile fibres, not exceeding 5 mm in length (flock), textile dust and mill neps		
95	5602 10 19 5602 10 31 5602 10 39 5602 10 90 5602 21 00 5602 29 90 5602 90 00 ex 5807 90 10 ex 5905 00 70 6210 10 10 6307 90 91	Felt and articles thereof, whether or not impregnated or coated, other than floor coverings		
96	5603 00 10 5603 00 91 5603 00 93 5603 00 95 5603 00 99 ex 5807 90 10 ex 5905 00 70 6210 10 91 6210 10 99 ex 6301 40 90 ex 6301 90 90 6302 22 10 6302 32 10 6302 53 10 6302 93 10 6303 92 10 6303 99 10	Non-woven fabrics and articles of such fabrics, whether or not impregnated, coated, covered or laminated		

(1)	(2)	(3)	(4)	(5)
96 (cont'd)	ex 6304 19 90 ex 6304 93 00 ex 6304 99 00 ex 6305 39 00 6307 10 30 ex 6307 90 99			
97	5608 11 11 5608 11 19 5608 11 91 5608 11 99 5608 19 11 5608 19 19 5608 19 31 5608 19 39 5608 19 91 5608 19 99 5608 90 00	Nets and netting made of twine, cordage or rope and made up fishing nets of yarn, twine, cordage or rope		
98	5609 00 00 5905 00 10	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics, articles made from such fabrics and articles of category 97		
99	5901 10 00 5901 90 00 5904 10 00 5904 91 10 5904 91 90 5904 92 00 5906 10 10 5906 10 90 5906 99 10 5906 99 90 5907 00 00	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape Rubberized textile fabrics, not knitted or crocheted, excluding those for tyres Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths or the like, other than of category 100		
100	5903 10 10 5903 10 90 5903 20 10 5903 20 90 5903 90 10 5903 90 91 5903 90 99	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials		
101	ex 5607 90 00	Twine, cordage, ropes and cables, plaited or not, other than of synthetic fibres		
109	6306 11 00 6306 12 00 6306 19 00 6306 31 00 6306 39 00	Tarpaulins, sails, twinings, and sunblinds		

(1)	(2)	(3)	(4)	(5)
110	6306 41 00 6306 49 00	Woven pneumatic mattresses		
111	6306 91 00 6306 99 00	Camping goods, woven, other than pneumatic mattresses and tents		
112	6307 20 00 ex 6307 90 99	Other made up textile articles, woven, excluding those of categories 113 and 114 ...		
113	6307 10 90	Floor cloths, dish cloths and dusters, other than knitted or crocheted		
114	5902 10 10 5902 10 90 5902 20 10 5902 20 90 5902 90 10 5902 90 90 5908 00 00 5909 00 10 5909 00 90 5910 00 00 5911 10 00 ex 5911 20 00 5911 31 11 5911 31 19 5911 31 90 5911 32 10 5911 32 90 5911 40 00 5911 90 10 5911 90 90	Woven fabrics and articles for technical uses		

ANNEX II

PRODUCTS REFERRED TO IN ARTICLE 13 (2)

GROUP IV

Category	CN code	Description	Table of equivalence	
			pieces/kg	g/piece
(1)	(2)	(3)	(4)	(5)
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		
117	5309 11 11 5309 11 19 5309 11 90 5309 19 10 5309 19 90 5309 21 10 5309 21 90 5309 29 10 5309 29 90 5311 00 10 5803 90 90 5905 00 31 5905 00 39	Woven fabrics of flax or of ramie		
118	6302 29 10 6302 39 10 6302 29 30 6302 52 00 ex 6302 59 00 6302 92 00 ex 6302 99 00	Table linen, toilet linen and kitchen of flax or ramie, other than knitted or crocheted		
120	ex 6303 99 90 6304 19 30 ex 6304 99 00	Curtains (including drapes), interior blinds, curtain and bed valances and other furnishing articles, not knitted or crocheted, of flax or ramie		
121	ex 5607 90 00	Twine, cordage, ropes and cables, plaited or not, of flax or ramie		
122	ex 6305 90 00	Sacks and bags, of a kind used for the packing of goods, used, of flax, other than knitted or crocheted		
123	5801 90 10 6214 90 90	Woven-pile fabrics and chenille fabrics of flax or ramie, other than narrow woven fabrics Shawls, scarves, mufflers, mantillas, veils and the like, of flax or ramie, other than knitted or crocheted		

GROUP V

(1)	(2)	(3)	(4)	(5)
124	5501 10 00 5501 20 00 5501 30 00 5501 90 00 5503 10 11 5503 10 19 5503 10 90 5503 20 00 5503 30 00 5503 40 00 5503 90 10 5503 90 90 5505 10 10 5505 10 30 5505 10 50 5505 10 70 5505 10 90	Synthetic staple fibres		
125 A	5402 41 10 5402 41 30 5402 41 90 5402 42 00 5402 43 10 5402 43 90	Synthetic filament yarn (continuous) not put up for retail sale, other than yarn of category 41		
125 B	5404 10 10 5404 10 90 5404 90 11 5404 90 19 5404 90 90 ex 5604 20 00 ex 5604 90 00	Monofilament, strip (artificial straw and the like) and imitation catgut of synthetic materials		
126	5502 00 10 5502 00 90 5504 10 00 5504 90 00 5505 20 00	Artificial staple fibres		
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		
127 B	5405 00 00	Monofilament, strip (artificial straw and the like) and imitation catgut of artificial textile materials		
128	5105 40 00	Coarse animal hair, carded or combed		
129	5110 00 00	Yarn of coarse animal hair or of horsehair		
130 A	5004 00 10 5004 00 90 5006 00 10	Silk yarn other than yarn spun from silk waste		

(1)	(2)	(3)	(4)	(5)
130 B	5005 00 10 5005 00 90 5006 00 90	Silk yarn other than of category 130 A; silk-worm gut		
131	5308 90 90	Yarn of other vegetable textile fibres		
132	5308 30 00	Paper yarn		
133	5308 20 10 5308 20 90	Yarn of true hemp		
134	5605 00 00	Metallized yarn		
135	5113 00 00	Woven fabrics of coarse animal hair or of horsehair		
136	5007 10 00 5007 20 10 5007 20 21 5007 20 31 5007 20 39 5007 20 41 5007 20 51 5007 20 59 5007 20 61 5007 20 69 5007 20 71 5007 90 10 5007 90 30 5007 90 50 5007 90 90 5803 90 10 ex 5905 00 90 ex 5911 20 00	Woven fabrics of silk or of silk waste		
137	ex 5801 90 90 ex 5806 10 00	Woven pile fabrics and chenille fabrics and narrow woven fabrics of silk, or of silk waste		
138	5311 00 90 ex 5905 00 90	Woven fabrics of paper yarn and other textile fibres other than of ramie		
139	5809 00 00	Woven fabrics of metal threads or of metallized yarn		
140	ex 6001 10 00 6001 29 90 6001 99 90 6002 20 90 6002 49 00 6002 99 00	Knitted or crocheted fabric of textile material other than wool or fine animal hair, cotton or man-made fibres		
141	ex 6301 90 90	Travelling rugs and blankets of textile material other than wool or fine animal hair, cotton or man-made fibres		

(1)	(2)	(3)	(4)	(5)
142	ex 5702 39 90 ex 5702 49 90 ex 5702 59 00 ex 5702 99 90 ex 5705 00 90	Carpets and other textile floor coverings of sisal, of other fibres of the Agave family or of Manila hemp		
144	5602 10 35 5602 29 10	Felt of coarse animal hair		
145	5607 30 00 ex 5607 90 00	Twine, cordage, ropes and cables plaited or not abaca (Manila hemp) or of true hemp		
146 A	ex 5607 21 00	Binder or baler twine for agricultural machines, of sisal or other fibres of the Agave family		
146 B	ex 5607 21 00 5607 29 10 5607 29 90	Twine, cordage, ropes and cables of sisal or other fibres of the Agave family, other than the products of category 146 A		
146 C	5607 10 00	Twine, cordage, ropes and cables, whether of not plaited or braided, of jute or of other textile bast fibres of heading No 5303		
147	5003 90 00	Silk waste (including cocoons unsuitable for reeling), yarn waste and garnetted stock, other than not carded or combed		
148 A	5307 10 10 5307 10 90 5307 20 00	Yarn of jute or of other textile bast fibres of heading No 5303		
148 B	5308 10 00	Coir yarn		
149	5310 10 90 ex 5310 90 00	Woven fabrics of jute or of other textile bast fibres of a width of more than 150 cm		
150	5310 10 10 ex 5310 90 00 6305 10 90	Woven fabrics of jute or of other textile bast fibres of a width of not more than 150 cm Sacks and bags, of a kind used for the packing of goods, of jute or of other textile bast fibres, other than used		
151 A	5702 20 00	Floor coverings of coconut fibres (coir)		
151 B	ex 5702 39 90 ex 5702 49 90 ex 5702 59 00 ex 5702 99 00	Carpets and other textile floor coverings, of jute or of other textile bast fibres, other than tufted or flocked		
152	5602 10 11	Needle loom felt of jute or of other textile bast fibres not impregnated or coated, other than floor coverings		
153	6305 10 10	Used sacks and bags, of a kind used for the packing of goods, of jute or of other textile bast fibres of heading No 5303		

(1)	(2)	(3)	(4)	(5)
154	5001 00 00 5002 00 00 5003 10 00 5101 11 00 5101 19 00 5101 21 00 5101 29 00 5101 30 00 5102 10 10 5102 10 30 5102 10 50 5102 10 90 5102 20 00 5103 10 10 5103 10 90 5103 20 10 5103 20 91 5103 20 99 5103 30 00 5104 00 00 5301 10 00 5301 21 00 5301 29 00 5301 30 10 5301 30 90 5305 91 00 5305 99 00 5201 00 10 5201 00 90 5202 10 00 5202 91 00 5002 99 00 5302 10 00 5302 90 00 5305 21 00 5305 29 00 5303 10 00 5303 90 00 5304 10 00 5304 90 00 5305 11 00 5305 19 00 5305 91 00 5305 99 00	Silkworm cocoons suitable for reeling Raw silk (not thrown) Silk waste (including cocoons unsuitable for reeling), yarn waste and garnetted stock, not carded or combed Wool not carded or combed Fine or coarse animal hair, not carded or combed Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock Garnetted stock of wool or fine or coarse animal hair Flax, raw or processed but not spun: flax tow and waste (including yarn waste and garnetted stock) Ramie and other vegetable textile fibres raw or processed but not spun: tow, noils and waste, other than coir and abaca of heading No 5304 Cotton, not carded or combed Cotton waste (including yarn waste and garnetted stock) True hemp (<i>Cannabis sativa</i> L.), raw or processed but not spun: tow and waste of true hemp (including yarn waste and garnetted stock) Abaca (Manila hemp or <i>Musa textilis</i> Nee), raw or processed but not spun: tow, noils and waste of abaca (including yarn waste and garnetted stock) Jute and other textile bast fibres (excluding flax, true hemp and ramie), raw or processed but not spun: tow and waste of true hemp (including yarn waste and garnetted stock) Other vegetable textile fibres, raw or processed but not spun: tow, noils and waste of such fibres (including yarn waste and garnetted stock)		
156	6106 90 30 ex 6110 90 90	Blouses and pullovers knitted or crocheted of silk or silk waste for women and girls		

(1)	(2)	(3)	(4)	(5)
157	6101 90 10 6101 90 90 6102 90 10 6102 90 90 ex 6103 39 00 6103 49 99 ex 6104 19 00 ex 6104 29 00 ex 6104 39 00 ex 6104 49 00 6104 69 99 6105 90 90 6106 90 50 6106 90 90 ex 6107 99 00 6108 99 90 6109 90 90 6110 90 10 ex 6110 90 90 ex 6111 90 00 6114 90 00	Garments, knitted or crocheted, other than those of categories 1 to 123 and of category 156		
159	6204 49 10 6206 10 00 6214 10 00 6215 10 00	Dresses, blouses and shirt-blouses, not knitted or crocheted, of silk or silk waste Shawls, scarves, mufflers, mantillas, veils and the like, not knitted or crocheted, of silk or silk waste Ties, bow ties and cravats of silk or silk waste		
160	6213 10 00	Handkerchiefs of silk or silk waste//OK		
161	6201 19 00 6201 99 00 6202 19 00 6202 99 00 6203 19 90 6203 29 90 6203 39 90 6203 49 90 6204 19 90 6204 29 90 6204 39 90 6204 49 90 6204 59 90 6204 69 90 6205 90 10 6205 90 90 6206 90 10 6206 90 90 ex 6211 20 00 6211 39 00 6211 49 00	Garments, not knitted or crocheted, other than those of categories 1 to 123 and category 159		

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
2	5208 11 10	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics	China	tonnes	D	4 450	4 631	4 815	5 002
	5208 11 90				F	5 377	5 443	5 509	5 578
	5208 12 11				I	2 215	2 281	2 346	2 410
	5208 12 13				BNL	3 536	3 581	3 625	3 668
	5208 12 15				UK	4 552	4 617	4 680	4 740
	5208 12 19				IRL	627	627	627	627
	5208 12 91				DK	1 681	1 682	1 686	1 689
	5208 12 93				EL	365	377	388	399
	5208 12 95				ES	189	208	234	268
	5208 12 99				P	108	115	123	133
	5208 13 00								
	5208 19 00								
	5208 21 10								
	5208 21 90								
	5208 22 11								
	5208 22 13								
	5208 22 15								
	5208 22 19								
	5208 22 91								
	5208 22 93								
	5208 22 95								
	5208 22 99								
	5208 23 00								
	5208 29 00								
	5208 31 00								
	5208 32 11								
	5208 32 13								
	5208 32 15								
	5208 32 19								
	5208 32 91								
	5208 32 93								
	5208 32 95								
	5208 32 99								
	5208 33 00								
	5208 39 00								
	5208 41 00								
	5208 42 00								
	5208 43 00								
	5208 49 00								
	5208 51 00								
	5208 52 10								
	5208 52 90								
	5208 53 00								
	5208 59 00								
	5209 11 00								
	5209 12 00								
	5209 19 00								
	5209 21 00								
	5209 22 00								
	5209 29 00								
	5209 31 00								
	5209 32 00								
	5209 39 00								
	5209 41 00								
	5209 42 00								
	5209 43 00								
	5209 49 10								
	5209 49 90								
	5209 51 00								
	5209 52 00								
	5209 59 00								
	5210 11 10								
	5210 11 90								
	5210 12 00								
	5210 19 00								
	5210 21 10								
	5210 21 90								
	5210 22 00								

(1) See appendix.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
2	5210 29 00								
(cont'd)	5210 31 10								
	5210 31 90								
	5210 32 00								
	5210 39 00								
	5210 41 00								
	5210 42 00								
	5210 49 00								
	5210 51 00								
	5210 52 00								
	5210 59 00								
	5211 11 00								
	5211 12 00								
	5211 19 00								
	5211 21 00								
	5211 22 00								
	5211 29 00								
	5211 31 00								
	5211 32 00								
	5211 39 00								
	5211 41 00								
	5211 42 00								
	5211 43 00								
	5211 49 11								
	5211 49 19								
	5211 49 90								
	5211 51 00								
	5211 52 00								
	5211 59 00								
	5212 11 10								
	5212 11 90								
	5212 12 10								
	5212 12 90								
	5212 13 10								
	5212 13 90								
	5212 14 10								
	5212 14 90								
	5212 15 10								
	5212 15 90								
	5212 21 10								
	5212 21 90								
	5212 22 10								
	5212 22 90								
	5212 23 10								
	5212 23 90								
	5212 24 10								
	5212 24 90								
	5212 25 10								
	5212 25 90								
	ex 5811 00 00								
	ex 6308 00 00								
2 a)	5208 31 00	a) Of which:	China	tonnes	D	533	555	577	599
	5208 32 11	Other than unbleached or bleached			F	645	647	640	653
	5208 32 13				I	265	277	289	301
	5208 32 15				BNL ⁽¹⁾	424	425	426	427
	5208 32 19				UK	546	558	570	585
	5208 32 91				IRL	175	175	175	175
	5208 32 93				DK	202	202	202	202
	5208 32 95				EL	182	186	194	197
	5208 32 99				ES	25	29	34	37
	5208 33 00				P	13	14	15	16
	5208 39 00								
	5208 41 00								
	5208 42 00								
	5208 43 00								
	5208 49 00								

⁽¹⁾ See Appendix.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)				
2 a) (cont'd)	5208 51 00												
	5208 52 10												
	5208 52 90												
	5208 53 00												
	5208 59 00												
	5209 31 00												
	5209 32 00												
	5209 39 00												
	5209 41 00												
	5209 42 00												
	5209 43 00												
	5209 49 10												
	5209 49 90												
	5209 51 00												
	5209 52 00												
	5209 59 00												
	5210 31 10												
	5210 31 90												
	5210 32 00												
	5210 39 00												
	5210 41 00												
	5210 42 00												
	5210 49 00												
	5210 51 00												
	5210 52 00												
	5210 59 00												
	5211 31 00												
	5211 32 00												
	5211 39 00												
	5211 41 00												
	5211 42 00												
	5211 43 00												
	5211 49 11												
	5211 49 19												
	5211 49 90												
	5211 51 00												
	5211 52 00												
	5211 59 00												
	5212 13 10												
	5212 13 90												
	5212 14 10												
	5212 14 90												
	5212 15 10												
	5212 15 90												
	5212 23 10												
	5212 23 90												
	5212 24 10												
	5212 24 90												
	5212 25 10												
	5212 25 90												
	ex 5811 00 00												
	ex 6308 00 00												
	3	5512 11 00	Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics	China	tonnes	D	848	893	937	990			
		5512 19 10					F	579	632	687	708		
		5512 19 90					I	338	344	353	365		
		5512 21 00					BNL	2 325	2 330	2 336	2 346		
		5512 29 10					UK	250	269	291	319		
		5512 29 90					IRL	57	57	57	58		
		5512 91 00					DK	99	103	107	113		
		5512 99 10					EL	70	71	72	74		
		5512 99 90					ES	98	106	109	125		
		5513 11 10					P	86	88	90	92		
		5513 11 30											
		5513 11 90											
		5513 12 00											
									EEC	4 750 ⁽¹⁾	4 893 ⁽¹⁾	5 039 ⁽¹⁾	5 190 ⁽¹⁾

⁽¹⁾ See Appendix.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
3 a)	5512 19 10	a) Of which:	China	tonnes	D	102	109	116	123
	5512 19 90	Other than unbleached or bleached			F	69	73	77	81
	5512 29 10				I	41	43	46	49
	5512 29 90				BNL (*)	279	279	279	279
	5512 99 10				UK	30	32	34	36
	5512 99 90				IRL	7	7	7	7
					DK	12	13	14	15
	5513 21 10				EL	8	8	8	8
	5513 21 30				ES	12	13	14	15
	5513 21 90				P	10	10	10	10
	5513 22 00								
	5513 23 00								
	5513 29 00								
	5513 31 00								
	5513 32 00								
	5513 33 00								
	5513 39 00								
	5513 41 00								
	5513 42 00								
	5513 43 00								
	5513 49 00								
	5514 21 00								
	5514 22 00								
	5514 23 00								
	5514 29 00								
	5514 31 00								
	5514 32 00								
	5514 33 00								
	5514 39 00								
	5514 41 00								
	5514 42 00								
	5514 43 00								
	5514 49 00								
	5515 11 30								
	5515 11 90								
	5515 12 30								
	5515 12 90								
	5515 13 19								
	5515 13 99								
	5515 19 30								
	5515 19 90								
	5515 21 30								
	5515 21 90								
	5515 22 19								
	5515 22 99								
	5515 29 30								
	5515 29 90								
	5515 91 30								
	5515 91 90								
	5515 92 19								
	5515 92 99								
	5515 99 30								
	5515 99 90								
	5803 90 30								
	ex 5905 00 70								
	ex 6308 00 00								

(*) See Appendix.

GROUP I B

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
4	6105 10 00 6105 20 10 6105 20 90 6105 90 10 6109 10 00 6109 90 10 6109 90 30 6110 20 10 6110 30 10	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undervests and the like, knitted or crocheted	China	1 000 pieces	D F I BNL UK IRL DK EL ES P EEC	5 137 4 363 11 597 6 305 4 428 95 568 73 196 38	5 418 4 618 12 029 6 505 4 737 119 608 97 243 66	5 699 4 920 12 409 6 676 5 099 146 649 124 335 105	5 992 5 240 12 828 6 897 5 481 176 698 155 369 134	37 970 (¹)
5	6101 10 90 6101 20 90 6101 30 90 6102 10 90 6102 20 90 6102 30 90 6110 10 10 6110 10 31 6110 10 39 6110 10 91 6110 10 99 6110 20 91 6110 20 99 6110 30 91 6110 30 99	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted	China	1 000 pieces	D F (¹) I (¹) BNL UK IRL DK EL ES P EEC	2 193 1 645 1 435 648 1 790 75 208 77 134 45	2 243 1 752 1 502 669 1 836 80 219 84 143 52	2 300 1 864 1 572 689 1 879 85 230 89 158 57	2 355 1 984 1 646 708 1 920 89 241 94 181 62	9 280 (¹)
6	6203 41 10 6203 41 90 6203 42 31 6203 42 33 6203 42 35 6203 42 90 6203 43 19 6203 43 90 6203 49 19 6203 49 50 6204 61 10 6204 62 31 6204 62 33 6204 62 35 6204 63 19 6204 69 19	Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls woven trousers and slacks, of wool, of cotton or of man-made fibres	China	1 000 pieces	D (¹) F (¹) I (¹) BNL (¹) UK IRL (¹) DK EL ES P EEC	3 804 1 772 1 366 1 142 812 86 353 80 193 42	3 878 1 865 1 455 1 170 864 91 359 87 219 48	3 952 1 966 1 552 1 198 927 96 365 95 231 55	4 039 2 072 1 653 1 224 985 101 372 103 244 62	10 855 (¹)
7	6106 10 00 6106 20 00 6106 90 10 6206 20 00 6206 30 00 6206 40 00	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, cotton or man-made fibres	China	1 000 pieces	D (¹) F (¹) I (¹) BNL UK IRL (¹) DK EL ES P EEC	860 615 583 215 325 34 90 45 63 20	881 648 609 223 339 35 93 47 67 21	901 681 638 232 354 36 96 49 73 23	921 713 669 241 369 37 99 51 81 25	3 206

(¹) See Appendix.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
8	6205 10 00 6205 20 00 6205 30 00	Men's or boys' shirts, other than knitted or crocheted, of wool, cotton or man-made fibres	China	1 000 pieces	D ⁽¹⁾ F ⁽¹⁾ I ⁽¹⁾ BNL UK IRL ⁽¹⁾ DK EL ES P EEC	3 862 1 092 1 137 722 1 339 82 463 71 195 37 9 000	3 923 1 146 1 193 745 1 381 86 468 76 211 41 9 270	3 983 1 202 1 252 768 1 422 90 473 81 231 46 9 548	4 047 1 263 1 315 792 1 466 94 478 87 241 52 9 835

⁽¹⁾ See Appendix.

GROUP II A

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
9	5802 11 00 5802 19 00 ex 6302 60 00	Terry towelling and similar woven terry fabrics of cotton; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton	China	tonnes	D	1 089	1 128	1 172	1 227
					F	556	603	642	684
					I	500	531	565	602
					BNL	316	343	373	398
					UK	777	825	878	935
					IRL	30	32	34	36
					DK	275	276	277	278
					EL	27	32	37	43
					ES	45	59	78	94
					P	9	12	16	19
					EEC	3 624	3 841	4 072	4 316
20	6302 21 00 6302 22 90 6302 29 90 6302 31 10 6302 31 90 6302 32 90 6302 39 90	Bed linen, other than knitted or crocheted	China	tonnes	D	(1)			
					F				
					I				
					BNL				
					UK				
					IRL				
					DK				
					EL				
					ES				
					P				
					EEC				
22	5508 10 11 5508 10 19 5509 11 00 5509 12 00 5509 21 10 5509 21 90 5509 22 10 5509 22 90 5509 31 10 5509 31 90 5509 32 10 5509 32 90 5509 41 10 5509 41 90 5509 42 10 5509 42 90 5509 51 00 5509 52 10 5509 52 90 5509 53 00 5509 59 00 5509 61 10 5509 61 90 5509 62 00 5509 69 00 5509 91 10 5509 91 90 5509 92 00 5509 99 00	Yarn of staple or waste synthetic fibres, not put up for retail sale	China	tonnes	D	900	1 093	1 308	1 551
					F	700	846	1 010	1 167
					I	2 500	2 546	2 587	2 638
					BNL	2 450	2 462	2 475	2 487
					UK ⁽²⁾	2 100	2 252	2 402	2 553
					IRL	10	15	20	26
					DK	450	461	471	480
					EL	20	30	40	52
					ES	220	269	323	383
					P	1 150	1 156	1 162	1 168
					EEC	10 500	11 130	11 798	12 506

(1) See category 39.

(2) See Appendix.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)				
23	5508 20 10	Yarn of staple or waste artificial fibres, not put up for retail sale	China	tonnes	D	1 921	2 035	2 148	2 269				
	F				1 041	1 139	1 242	1 342					
	I				1 156	1 196	1 234	1 282					
	BNL				2 075	2 085	2 095	2 105					
	UK ⁽²⁾				608	715	836	980					
	IRL				44	49	55	61					
	DK				203	215	227	240					
	EL				74	85	97	108					
	ES				108	140	179	209					
	P				20	26	33	39					
				EEC	7 250	7 685	8 146	8 635					
32	5801 10 00	Woven pile fabrics and chenille fabrics (other than terry towelling or terry fabrics of cotton and narrow woven fabrics) and tufted textile surfaces, of wool, of cotton or of man-made textile fibres	China	tonnes	D	833	866	904	943				
	F				540	562	587	613					
	I				426	445	465	485					
	BNL				271	286	302	318					
	UK ⁽²⁾				638	673	710	749					
	IRL				38	39	40	41					
	DK				112	115	118	121					
	EL				62	64	65	66					
	ES				30	45	57	72					
	P				18	21	24	28					
								EEC	2 968	3 116	3 272	3 436	
	5802 20 00												
	5802 30 00												
	39				6302 51 10	Table linen, toilet and kitchen linen, other than knitted or crocheted, other than of terry towelling or similar terry fabrics of cotton	China	tonnes	D	1 594	1 662	1 734	1 810
					F ⁽¹⁾				984	1 025	1 069	1 116	
I		801	834	870	908								
BNL ⁽¹⁾		599	624	651	680								
UK		1 085	1 172	1 256	1 348								
IRL		51	53	55	57								
DK		160	167	174	182								
EL		470	472	474	476								
ES ⁽¹⁾		321	357	398	435								
P		35	39	44	50								
				EEC	6 100	6 405	6 725	7 062					
					⁽¹⁾	⁽¹⁾	⁽¹⁾	⁽¹⁾					

⁽¹⁾ See category 39.⁽²⁾ See Appendix.

GROUP II B

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)		
12	6115 12 00	Panty-hose and tights, stockings, understockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70	China	1 000 pairs	D	2 615	2 882	3 120	3 379		
	6115 19 10				F	5 859	5 889	5 918	5 947		
	6115 19 90				I	1 168	1 282	1 416	1 565		
	6115 20 11				BNL	1 334	1 378	1 428	1 479		
	6115 20 90				UK	2 325	2 508	2 718	2 919		
	6115 91 00				IRL	70	77	85	94		
	6115 92 00				DK	380	393	407	422		
	6115 93 10				EL	105	117	129	142		
	6115 93 30				ES	350	385	428	476		
	6115 93 99				P	93	103	116	130		
	6115 99 00				EEC	14 299	15 014	15 765	16 553		
13	6107 11 00	Men's or boys' underpants and briefs, women's or girls' knickers and briefs, knitted or crocheted, of wool, cotton or man-made fibres	China	1 000 pieces	D	10 886	11 430	12 002	12 602		
	6107 12 00				F	2 622	2 753	2 891	3 035		
	6107 19 00				BNL	2 791	2 931	3 077	3 231		
	6108 21 00				UK	36 549	38 376	40 295	42 310		
	6108 22 00				IRL	488	512	538	565		
6108 29 00											
15	6202 11 00	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21)	China	1 000 pieces	F ⁽¹⁾	445	467	491	515		
	ex 6202 12 10				BNL	187	196	206	217		
	ex 6202 12 90										
	ex 6202 13 10										
	6202 13 90										
	6204 31 00										
	6204 32 90										
6204 33 90											
6204 39 19											
6210 30 00											
16	6203 11 00	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits	China	1 000 pieces	F	300	315	331	347		
	6203 12 00				I	4 500	4 725	4 961	5 209		
	6203 19 10				UK	225	236	248	260		
	6203 19 30										
	6203 21 00										
	6203 22 90										
	6203 23 90										
6203 29 19											
18	6207 11 00	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, other than knitted or crocheted	China	tonnes	D	648	716	784	858		
	6207 19 00				F	805	819	834	853		
	6207 21 00				I	481	502	524	546		
	6207 22 00				BNL	417	427	437	447		
	6207 29 00				UK	748	781	815	850		
	6207 91 00				IRL	5	6	8	9		
	6207 92 00				DK	113	116	119	122		
	6207 99 00				EL	9	11	14	16		
					ES	65	76	89	103		
					P	9	11	14	16		
	6208 11 00	Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, other than knitted or crocheted	China	tonnes	EEC	3 300	3 465	3 638	3 820		
	6208 19 10										
	6208 19 90										
	6208 21 00										
	6208 22 00										
	6208 29 00										
	6208 91 10										
6208 91 90											
6208 92 10											
6208 92 90											
6208 99 00											

(1) See Appendix.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
19	6213 20 00 6213 90 00	Handkerchiefs, other than knitted or crocheted	China	1 000 pieces	D F I BNL UK IRL DK GR ES P EEC	20 321 7 862 11 046 13 202 11 767 434 2 303 546 1 036 113 68 630	20 902 8 826 11 362 13 268 12 802 476 2 357 613 1 286 170 72 062	21 540 9 868 11 653 13 334 13 877 516 2 406 684 1 580 207 75 665	22 285 10 850 12 056 13 400 14 980 557 2 477 769 1 815 259 79 448
21	ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6201 91 00 6201 92 00 6201 93 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6202 91 00 6202 92 00 6202 93 00	Parkas; anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or man-made fibres	China	1 000 pieces	D ⁽¹⁾ F ⁽¹⁾ I ⁽¹⁾ BNL UK IRL ⁽¹⁾ DK EL ES P EEC	2 458 1 103 897 585 924 38 171 77 206 41 6 500 ⁽¹⁾	2 488 1 154 938 623 1 034 43 179 84 235 47 6 825 ⁽¹⁾	2 519 1 208 982 652 1 158 47 187 91 268 54 7 166 ⁽¹⁾	2 565 1 265 1 029 683 1 270 51 196 99 307 60 7 525 ⁽¹⁾
24	6107 21 00 6107 22 00 6107 29 00 6107 91 00 6107 92 00 ex 6107 99 10 6108 31 10 6108 31 90 6108 32 11 6108 32 19 6108 32 90 6108 39 00 6108 91 00 6108 92 00 6108 99 10	Men's or boys' nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted Women's or girls' nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, knitted or crocheted	China	1 000 pieces	D F I BNL UK EEC	4 900 840 435 384 513 3 200	5 145 882 457 403 539 3 360	5 402 926 480 423 566 3 528	5 672 972 504 445 594 3 704
26	6104 41 00 6104 42 00 6104 43 00 6104 44 00 6204 41 00 6204 42 00 6204 43 00 6204 44 00	Women's or girls' dresses, of wool, of cotton or man-made fibres	China	1 000 pieces	D ⁽¹⁾ F ⁽¹⁾ I BNL UK IRL DK EL ES P EEC	1 130 506 420 189 626 22 90 46 140 31 3 200	1 151 530 440 212 669 24 94 48 157 35 3 360	1 171 555 461 238 714 26 98 50 176 39 3 528	1 194 582 484 268 750 28 103 53 198 44 3 704
27	6104 51 00 6104 52 00 6104 53 00 6104 59 00 6204 51 00 6204 52 00 6204 53 00 6204 59 10	Women's or girls' skirts, including divided skirts	China	1 000 pieces	UK	320	336	353	370

⁽¹⁾ See Appendix.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)						
29	6204 11 00	Women's or girls' suits and ensembles, other than knitted or crocheted, of wool, of cotton or man-made fibres, excluding ski suits	China	1 000 pieces	F I	185	194	204	214						
	6204 12 00					240	252	265	278						
	6204 13 00														
	6204 19 10														
	6204 21 00														
	6204 22 90														
	6204 23 90 6204 29 19														
31	6212 10 00	Brassières, woven, knitted or crocheted	China	1 000 pieces	F BNL UK	1 700	1 785	1 874	1 968						
						600	630	662	695						
						650	683	717	752						
68	6111 10 90	Babies' garments and clothing accessories, excluding babies' gloves, mittens and mitts of categories 10 and 87, and babies' stockings, socks and sockettes, other than knitted or crocheted, of category 88	China	tonnes	F ⁽¹⁾ UK	950	998	1 047	1 100						
	6111 20 90					355	373	391	411						
	6111 30 90														
	ex 6111 90 00														
	ex 6209 10 00 ex 6209 20 00 ex 6209 30 00 ex 6209 90 00														
73	6112 11 00 6112 12 00 6112 19 00	Track suits of knitted or crocheted fabric, of wool, of cotton or of man-made textile fibres	China	1 000 pieces	D F I BNL UK IRL DK EL ES P EEC	592	616	639	663						
						347	366	387	406						
						265	279	294	310						
						213	222	232	242						
						415	437	460	484						
						16	17	18	19						
						96	97	98	100						
						32	34	35	37						
						57	66	76	88						
						17	19	21	24						
						2 050	2 153	2 260	2 373						
						⁽¹⁾	⁽¹⁾	⁽¹⁾	⁽¹⁾						
						76	6203 22 10	Men's or boys' industrial or occupational clothing, other than knitted or crocheted Women's or girls' aprons, smock-overalls and other industrial or occupational clothing, other than knitted or crocheted	China	tonnes	D ⁽¹⁾ F I BNL UK IRL DK EL ES P EEC	1 538	1 546	1 557	1 567
							6203 23 10					331	370	414	462
6203 29 11	424	443	463	483											
6203 32 10	197	220	246	275											
6203 33 10	534	584	633	685											
6203 39 11	28	29	30	31											
6203 42 11	81	86	92	96											
6203 42 51	46	49	51	54											
6203 43 11	57	70	79	89											
6203 43 31	14	16	18	20											
6203 49 11															
6203 49 31															
6204 22 10															
6204 23 10															
6204 29 11															
6204 32 10															
6204 33 10															
6204 39 11															
6204 62 11															
6204 62 51															
6204 63 11															
6204 63 31															
6204 69 11															
6204 69 31															
6211 32 10															
6211 33 10															
6211 42 10															
6211 43 10															
						3 250	3 413	3 583	3 762						

⁽¹⁾ See Appendix.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
78	6203 41 30	Garments, other than knitted or crocheted, excluding garments of categories 6, 7, 8, 14, 15, 16, 17, 18, 21, 26 27, 29, 68, 72, 76 and 77	China	tonnes	F I	280	297	315	333
	6203 42 59					260	276	292	310
	6203 43 39								
	6203 49 39								
	6204 61 80								
	6204 61 90								
	6204 62 59								
	6204 62 90								
	6204 63 39								
	6204 63 90								
	6204 69 39								
	6204 69 50								
	6210 40 00								
	6210 50 00								
	6211 31 00								
	6211 32 90								
	6211 33 90								
6211 41 00									
6211 42 90									
6211 43 90									
83	6101 10 10	Overcoats, jackets, blazers and other garments, including ski suits, knitted or crocheted, excluding garments of categories 4, 5, 7, 13, 24, 26, 27, 28, 68, 69, 72, 73, 74, and 75	China	tonnes	D F	150	158	165	174
	6101 20 10					105	110	116	122
	6101 30 10								
	6102 10 10								
	6102 20 10								
	6102 30 10								
	6103 31 00								
	6103 32 00								
	6103 33 00								
	ex 6103 39 00								
	6104 31 00								
	6104 32 00								
	6104 33 00								
	ex 6104 39 00								
	ex 6112 20 00								
	6113 00 90								
	6114 10 00								
6114 20 00									
6114 30 00									

GROUP III A

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)					
33	5407 20 11 6305 31 91 6305 31 99	Woven fabrics of synthetic filament yarn obtained from strip or the like of polyethylene or polypropylene, less than 3 m wide Sacks and bags, of a kind used for the packing of goods, not knitted or crocheted, obtained from strip or the like	China	tonnes	F	630	662	695	729					
					BNL	4 300	4 515	4 741	4 978					
					UK	875	919	965	1 013					
					IRL	650	683	717	752					
36	5408 10 00 5408 21 00 5408 22 10 5408 22 90 5408 23 10 5408 23 90 5408 24 00 5408 31 00 5408 32 00 5408 33 00 5408 34 00 ex 5811 00 00 ex 5905 00 70	Woven fabrics of continuous artificial fibres, other than those for tyres of category 114	China	tonnes	F	350	368	386	405					
					37	5516 11 00 5516 12 00 5516 13 00 5516 14 00 5516 21 00 5516 22 00 5516 23 00 5516 23 00 5516 24 00 5516 31 00 5516 32 00 5516 33 00 5516 34 00 5516 41 00 5516 42 00 5516 43 00 5516 44 00 5516 91 00 5516 92 00 5516 93 00 5516 94 00 5803 90 50 ex 5905 00 70	Woven fabrics of artificial staple fibres	China	tonnes	D	2 301	2 431	2 578	2 734
										F	1 374	1 451	1 539	1 631
										I	1 131	1 195	1 267	1 343
										BNL	815	861	913	968
										UK	1 684	1 819	1 929	2 045
										IRL	73	76	81	86
										DK	847	851	855	859
										EL	104	115	128	140
										ES	210	245	290	342
										P	61	72	83	95
										EEC	8 600	9 116	9 663	10 243
										37 a)	5516 12 00 5516 13 00 5516 14 00 5516 22 00 5516 23 10 5516 23 90 5516 24 00 5516 32 00 5516 33 00 5516 34 00 5516 42 00 5516 43 00 5516 44 00 5516 92 00 5516 93 00 5516 94 00 5803 90 50 ex 5905 00 70	a) Of which: Other than unbleached or bleached	China	tonnes
F	412	437	464	492										
I	339	359	381	404										
BNL	245	260	276	293										
UK	505	547	580	615										
IRL	22	23	24	25										
DK	254	255	256	257										
EL	31	34	38	42										
ES	63	74	87	103										
P	18	21	24	28										

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
40	ex 6303 91 00 ex 6303 92 90 ex 6303 99 90 6304 19 10 ex 6304 19 90 6304 92 00 ex 6304 93 00 ex 6304 99 00	Woven curtains (including drapes) interior blinds, curtain and bed valances and other furnishing articles, other than knitted or crocheted, of wool, of cotton or of man-made fibres	China	tonnes	I	625	663	702	744
59	5702 10 00 5702 31 10 5702 31 30 5702 31 90 5702 32 10 5702 32 90 5702 39 10 5702 41 10 5702 41 90 5702 42 10 5702 42 90 5702 49 10 5702 51 00 5702 52 00 ex 5702 59 00 5702 91 00 5702 92 00 ex 5702 99 00 5703 10 10 5703 10 90 5703 20 11 5703 20 19 5703 20 91 5703 20 99 5703 30 11 5703 30 19 5703 30 51 5703 30 59 5703 30 91 5703 30 99 5703 90 10 5703 90 90 5704 10 00 5704 90 00 5705 00 10 5705 00 31 5705 00 39 ex 5705 00 90	Carpets and other textile floor coverings, other than the carpets of category 58	China	tonnes	F	247	262	278	294
66	6301 10 00 6301 20 91 6301 20 99 6301 30 90 ex 6301 40 90 ex 6301 90 90	Travelling-rugs and blankets, other than knitted or crocheted, of wool, of cotton or of man-made fibres	China	tonnes	I	501	531	563	597

GROUP III B

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
10	6111 10 10 6111 20 10 6111 30 10 ex 6111 90 00 6116 10 10 6116 10 90 6116 91 00 6116 92 00 6116 93 00 6117 99 00	Gloves, mittens and mitts, knitted or crocheted	China	1 000 pairs	D F I BNL UK ⁽¹⁾ IRL DK EL ES P EEC	7 161 4 437 6 381 13 323 2 783 2 830 4 065 48 1 300 172 42 500	7 963 4 932 6 555 13 390 3 124 2 844 4 085 72 1 468 192 44 625	8 810 5 452 6 739 13 457 3 470 2 858 4 105 108 1 645 212 46 856	9 723 6 013 6 910 13 524 3 837 2 872 4 126 124 1 837 233 49 199
67	5807 90 90 6113 00 10 6117 10 00 6117 20 00 6117 80 10 6117 80 90 6117 90 90 6301 20 10 6301 30 10 6301 40 10 6301 90 10 6302 10 10 6302 10 90 6302 40 00 ex 6302 60 00 6303 11 00 6303 12 00 6303 19 00 6304 11 00 6304 91 00 ex 6305 20 00 ex 6305 39 00 ex 6305 90 00 6305 31 10 6307 10 10 6307 90 10	Knitted or crocheted clothing accessories other than for babies; household linen of all kinds, knitted or crocheted; curtains (including drapes) and interior blinds, curtain or bed valances and other furnishing articles knitted or crocheted; knitted or crocheted blankets and travelling-rugs, other knitted or crocheted articles including parts of garments or of clothing accessories	China	tonnes	D F	1 004 800	1 064 848	1 128 899	1 196 953
67 a)	6305 31 10	a) Of which: Sacks and bags of a kind used for the packing of goods, made from polyethylene or polypropylene strip	China	tonnes	F	300	318	337	357
87	6216 00 00 ex 6209 10 00 ex 6209 20 00 ex 6209 30 00 ex 6209 90 00	Gloves, mittens and mitts, not knitted or crocheted	China	tonnes	F UK	235 120	247 126	259 132	272 139
91	6306 21 00 6306 22 00 6306 29 00	Tents	China	tonnes	F ⁽¹⁾ BNL	420 250	445 265	472 281	500 298

⁽¹⁾ See Appendix.

Appendix

Category	Supplier country	Provisions																																																												
2	China	<p>For fabrics below 155 cm in width (CN codes: 5208 11 90, 5208 12 11, 5208 12 91, 5208 13 00, 5208 19 00, 5208 21 90, 5208 22 11, 5208 22 91, 5208 23 00, 5208 29 00, 5208 31 00, 5208 32 11, 5208 32 91, 5208 33 00, 5208 39 00, 5208 41 00, 5208 42 00, 5208 43 00, 5208 49 00, 5208 51 00, 5208 52 10, 5208 53 00, 5208 59 00, 5209 11 00, 5209 12 00, 5209 19 00, 5209 21 00, 5209 22 00, 5209 29 00, 5209 31 00, 5209 32 00, 5209 39 00, 5209 41 00, 5209 42 00, 5209 43 00, 5209 49 10, 5209 49 90, 5209 51 00, 5209 52 00, 5209 59 00, 5210 11 10, 5210 12 00, 5210 19 00, 5210 31 10, 5210 32 00, 5210 39 00, 5210 41 00, 5210 42 00, 5210 49 00, 5211 11 00, 5211 12 00, 5211 19 00, 5211 31 00, 5211 32 00, 5211 39 00, 5211 41 00, 5211 42 00, 5211 43 00, 5211 49 19, 5211 49 90, 5212 11 10, 5212 11 90, 5212 13 90, 5212 13 90, 5212 14 10, 5212 14 90, 5212 21 10, 5212 21 90, 5212 23 10, 5212 23 90, 5212 24 10, 5212 24 90, ex 5811 00 00 and ex 6308 00 00) the following additional quantities may be exported to the EEC by China:</p> <p style="text-align: right;">(tonnes)</p> <table border="1"> <thead> <tr> <th>Member States</th> <th>1989</th> <th>1990</th> <th>1991</th> <th>1992</th> </tr> </thead> <tbody> <tr> <td>D</td> <td>281</td> <td>289</td> <td>296</td> <td>304</td> </tr> <tr> <td>F</td> <td>290</td> <td>292</td> <td>294</td> <td>297</td> </tr> <tr> <td>I</td> <td>131</td> <td>136</td> <td>141</td> <td>146</td> </tr> <tr> <td>BNL</td> <td>194</td> <td>195</td> <td>196</td> <td>197</td> </tr> <tr> <td>UK</td> <td>243</td> <td>250</td> <td>257</td> <td>262</td> </tr> <tr> <td>IRL</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> </tr> <tr> <td>DK</td> <td>35</td> <td>36</td> <td>37</td> <td>38</td> </tr> <tr> <td>EL</td> <td>18</td> <td>18</td> <td>18</td> <td>19</td> </tr> <tr> <td>ES</td> <td>2</td> <td>3</td> <td>5</td> <td>6</td> </tr> <tr> <td>P</td> <td>1</td> <td>1</td> <td>1</td> <td>1</td> </tr> <tr> <td>EEC</td> <td>1 230</td> <td>1 255</td> <td>1 280</td> <td>1 305</td> </tr> </tbody> </table>	Member States	1989	1990	1991	1992	D	281	289	296	304	F	290	292	294	297	I	131	136	141	146	BNL	194	195	196	197	UK	243	250	257	262	IRL	35	35	35	35	DK	35	36	37	38	EL	18	18	18	19	ES	2	3	5	6	P	1	1	1	1	EEC	1 230	1 255	1 280	1 305
Member States	1989	1990	1991	1992																																																										
D	281	289	296	304																																																										
F	290	292	294	297																																																										
I	131	136	141	146																																																										
BNL	194	195	196	197																																																										
UK	243	250	257	262																																																										
IRL	35	35	35	35																																																										
DK	35	36	37	38																																																										
EL	18	18	18	19																																																										
ES	2	3	5	6																																																										
P	1	1	1	1																																																										
EEC	1 230	1 255	1 280	1 305																																																										
2	China	<p>For fabric for medical gauze (CN codes: 5208 11 10 and 5208 21 10) the following additional quantities may be exported to the EEC by China:</p> <p style="text-align: right;">(tonnes)</p> <table border="1"> <thead> <tr> <th>Member States</th> <th>1989</th> <th>1990</th> <th>1991</th> <th>1992</th> </tr> </thead> <tbody> <tr> <td>D</td> <td>393</td> <td>406</td> <td>419</td> <td>431</td> </tr> <tr> <td>F</td> <td>280</td> <td>286</td> <td>292</td> <td>298</td> </tr> <tr> <td>I</td> <td>452</td> <td>452</td> <td>452</td> <td>452</td> </tr> <tr> <td>BNL</td> <td>186</td> <td>188</td> <td>191</td> <td>194</td> </tr> <tr> <td>UK</td> <td>319</td> <td>329</td> <td>338</td> <td>347</td> </tr> <tr> <td>IRL</td> <td>19</td> <td>19</td> <td>19</td> <td>19</td> </tr> <tr> <td>DK</td> <td>28</td> <td>29</td> <td>30</td> <td>31</td> </tr> <tr> <td>EL</td> <td>19</td> <td>20</td> <td>21</td> <td>22</td> </tr> <tr> <td>ES</td> <td>2</td> <td>3</td> <td>5</td> <td>8</td> </tr> <tr> <td>P</td> <td>2</td> <td>2</td> <td>2</td> <td>2</td> </tr> <tr> <td>EEC</td> <td>1 700</td> <td>1 734</td> <td>1 769</td> <td>1 284</td> </tr> </tbody> </table>	Member States	1989	1990	1991	1992	D	393	406	419	431	F	280	286	292	298	I	452	452	452	452	BNL	186	188	191	194	UK	319	329	338	347	IRL	19	19	19	19	DK	28	29	30	31	EL	19	20	21	22	ES	2	3	5	8	P	2	2	2	2	EEC	1 700	1 734	1 769	1 284
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Category	Supplier country	Provisions																														
2 a)	China	<p>The following levels apply to Benelux for this category combined with category 3 (a):</p> <p style="text-align: right;"><i>(tonnes)</i></p> <table border="1"> <thead> <tr> <th>Member State</th> <th>1989</th> <th>1990</th> <th>1991</th> <th>1992</th> </tr> </thead> <tbody> <tr> <td>BNL</td> <td>703</td> <td>704</td> <td>705</td> <td>706</td> </tr> </tbody> </table>	Member State	1989	1990	1991	1992	BNL	703	704	705	706																				
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3 a)	China	See category 2 a).																														
4	China	<p>For the purpose of setting off exports against the agreed quantitative limits a conversion rate of five garments (other than babies' garments) of a maximum commercial size of 130 cm for three garments whose commercial size exceeds 130 cm may be applied for up to 5 % of the quantitative limits.</p> <p>The export licence concerning these products must bear, in box 9, the words 'The conversion rate for garments of a commercial size of not more than 130 cm must be applied.'</p>																														
5	China	<p>These figures include the following quantities reserved for European industry for a period of 180 days each year:</p> <p style="text-align: right;"><i>(1 000 pieces)</i></p> <table border="1"> <thead> <tr> <th>Member States</th> <th>1989</th> <th>1990</th> <th>1991</th> <th>1992</th> </tr> </thead> <tbody> <tr> <td>F</td> <td>70</td> <td>73</td> <td>76</td> <td>79</td> </tr> <tr> <td>I</td> <td>30</td> <td>31</td> <td>32</td> <td>33</td> </tr> <tr> <td>EEC</td> <td>100</td> <td>104</td> <td>108</td> <td>112</td> </tr> </tbody> </table>	Member States	1989	1990	1991	1992	F	70	73	76	79	I	30	31	32	33	EEC	100	104	108	112										
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5	China	<p>For products of category 5 (other than anoraks, windcheaters, waister jackets and the like) of fine animal hair falling within CN codes 6110 10 10, 6110 10 39 and 6110 10 99, the following sub-limits apply within the quantitative limits established for category 5: (for the United Kingdom, these sub-limits also cover the same products made of wool falling within CN codes 6110 10 10, 6110 10 31 and 6110 10 91) of which</p> <table border="1"> <thead> <tr> <th></th> <th>EEC</th> <th>Of which for the United Kingdom</th> </tr> </thead> <tbody> <tr> <td>1989</td> <td>90 000 pieces</td> <td>20 000 pieces</td> </tr> <tr> <td>1990</td> <td>94 000 pieces</td> <td>21 000 pieces</td> </tr> <tr> <td>1991</td> <td>97 000 pieces</td> <td>22 000 pieces</td> </tr> <tr> <td>1992</td> <td>101 000 pieces</td> <td>23 000 pieces</td> </tr> </tbody> </table>		EEC	Of which for the United Kingdom	1989	90 000 pieces	20 000 pieces	1990	94 000 pieces	21 000 pieces	1991	97 000 pieces	22 000 pieces	1992	101 000 pieces	23 000 pieces															
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6	China	<p>The following additional quantities of shorts (CN codes 6203 41 90, 6203 42 90, 6203 43 90 and 6203 49 50) may be exported by China to the EEC:</p> <p style="text-align: right;"><i>(1 000 pieces)</i></p> <table border="1"> <thead> <tr> <th>Member States</th> <th>1989</th> <th>1990</th> <th>1991</th> <th>1992</th> </tr> </thead> <tbody> <tr> <td>D</td> <td>263</td> <td>269</td> <td>276</td> <td>286</td> </tr> <tr> <td>F</td> <td>149</td> <td>155</td> <td>161</td> <td>167</td> </tr> <tr> <td>I</td> <td>120</td> <td>126</td> <td>131</td> <td>136</td> </tr> <tr> <td>BNL</td> <td>94</td> <td>97</td> <td>100</td> <td>103</td> </tr> <tr> <td>UK</td> <td>172</td> <td>181</td> <td>190</td> <td>199</td> </tr> <tr> <td>IRL</td> <td>7</td> <td>7</td> <td>7</td> <td>7</td> </tr> <tr> <td>DK</td> <td>27</td> <td>28</td> <td>29</td> <td>30</td> </tr> <tr> <td>EL</td> <td>14</td> <td>15</td> <td>16</td> <td>16</td> </tr> <tr> <td>ES</td> <td>2</td> <td>3</td> <td>5</td> <td>7</td> </tr> <tr> <td>P</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> </tr> <tr> <td>EEC</td> <td>850</td> <td>884</td> <td>919</td> <td>956</td> </tr> </tbody> </table>	Member States	1989	1990	1991	1992	D	263	269	276	286	F	149	155	161	167	I	120	126	131	136	BNL	94	97	100	103	UK	172	181	190	199	IRL	7	7	7	7	DK	27	28	29	30	EL	14	15	16	16	ES	2	3	5	7	P	2	3	4	5	EEC	850	884	919	956
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6	China	<p>The following sub-limits apply within the quantitative limits prescribed in the Annex for Benelux: Long trousers: (CN codes 6203 41 10, 6302 42 31, 6302 42 33, 6203 42 35, 6203 43 19 and 6203 49 10)</p> <p style="text-align: right;"><i>(1 000 pieces)</i></p> <table border="1"> <thead> <tr> <th>Member State</th> <th>1989</th> <th>1990</th> <th>1991</th> <th>1992</th> </tr> </thead> <tbody> <tr> <td>BNL</td> <td>576</td> <td>599</td> <td>623</td> <td>648</td> </tr> </tbody> </table>	Member State	1989	1990	1991	1992	BNL	576	599	623	648																																																		
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Category	Supplier country	Provisions																														
39	China	<p>Category 39 includes category 20; The following sub-limits apply within the quantitative limits prescribed in the Annex for France: Table linen, toilet and kitchen linen (codes CN 6302 51 10, 6302 51 90, 6302 59 00, 6302 91 10, 6302 91 90, 6302 93 90 and 6302 99 00) excluding embroidery:</p> <p style="text-align: right;"><i>(tonnes)</i></p> <table border="1"> <thead> <tr> <th>Member State</th> <th>1989</th> <th>1990</th> <th>1991</th> <th>1992</th> </tr> </thead> <tbody> <tr> <td>F</td> <td>244</td> <td>256</td> <td>269</td> <td>282</td> </tr> </tbody> </table> <p>The following sub-limits for bed linen apply within the quantitative limits prescribed in the Annex for Benelux and Spain:</p> <p style="text-align: right;"><i>(tonnes)</i></p> <table border="1"> <thead> <tr> <th>Member States</th> <th>1989</th> <th>1990</th> <th>1991</th> <th>1992</th> </tr> </thead> <tbody> <tr> <td>BNL</td> <td>61</td> <td>64</td> <td>67</td> <td>71</td> </tr> <tr> <td>ES</td> <td>66</td> <td>69</td> <td>73</td> <td>76</td> </tr> </tbody> </table>	Member State	1989	1990	1991	1992	F	244	256	269	282	Member States	1989	1990	1991	1992	BNL	61	64	67	71	ES	66	69	73	76					
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22	China	<p>The following sub-limits apply within the quantitative limits established for the United Kingdom, for acrylic yarn (CN codes 5508 10 19, 5509 31 10, 5509 31 90, 5509 32 10, 5509 32 90, 5509 61 10, 5509 61 90, 5509 62 00 and 5509 69 00):</p> <p>1989: 150 tonnes 1990: 159 tonnes 1991: 169 tonnes 1992: 179 tonnes</p>																														
15	China	<p>These figures include the following quantities reserved for French industry for a period of 180 days each year:</p> <p style="text-align: right;"><i>(1 000 pieces)</i></p> <table border="1"> <thead> <tr> <th>Member State</th> <th>1989</th> <th>1990</th> <th>1991</th> <th>1992</th> </tr> </thead> <tbody> <tr> <td>F</td> <td>178</td> <td>187</td> <td>196</td> <td>206</td> </tr> </tbody> </table>	Member State	1989	1990	1991	1992	F	178	187	196	206																				
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21	China	<p>For the purpose of setting off exports against the agreed quantitative limits a conversion rate of five garments (other than babies' garments) of a maximum commercial size of 130 cm for three garments whose commercial size exceeds 130 cm may be applied for up to 5% of the quantitative limits.</p> <p>The export licence concerning these products must bear, in box 9, the words 'The conversion rate for garments of a commercial size of not more than 130 cm must be applied.'</p>																														

Category	Supplier country	Provisions																				
24	China	<p>For the purpose of setting off exports against the agreed quantitative limits a conversion rate of five garments (other than babies' garments) of a maximum commercial size of 130 cm for three garments whose commercial size exceeds 130 cm may be applied for up to 5% of the quantitative limits.</p> <p>The export licence concerning these products must bear, in box 9, the words 'The conversion rate for garments of a commercial size of not more than 130 cm must be applied.'</p>																				
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EEC	150	158	165	174																		
68	China	<p>These figures include the following quantities reserved for French industry for a period of 180 days each year:</p> <p>1989: 380 tonnes 1990: 399 tonnes 1991: 419 tonnes 1992: 440 tonnes</p>																				
73	China	<p>For the purpose of setting off exports against the agreed quantitative limits a conversion rate of five garments (other than babies' garments) of a maximum commercial size of 130 cm for three garments whose commercial size exceeds 130 cm may be applied for up to 5% of the quantitative limits.</p> <p>The export licence concerning these products must bear, in box 9, the words 'The conversion rate for garments of a commercial size of not more than 130 cm must be applied.'</p>																				
76	China	<p>These figures include the following quantities reserved for German industry for a period of 180 days each year:</p> <p>1989: 100 tonnes 1990: 105 tonnes 1991: 110 tonnes 1992: 116 tonnes</p>																				
10	China	<p>The following sub-limits apply to knitted gloves, impregnated, coated or covered with plastic (CN code 6116 10 10) within the quantitative limits prescribed in this Annex for the United Kingdom:</p> <p>1989: 280 000 pairs 1990: 294 000 pairs 1991: 309 000 pairs 1992: 324 000 pairs</p>																				
91	China	<p>These figures include the following quantities reserved for French industry for a period of 180 days each year:</p> <p>1989: 55 tonnes 1990: 58 tonnes 1991: 62 tonnes 1992: 66 tonnes</p>																				

ANNEX IV

referred to in Articles 2 (2) and 14 (1)

PART I

Origin

Article 1

1. Products listed in Annex I, originating in China, may be imported into the Community in accordance with the arrangements established by this Regulation on production of a certificate of origin conforming to the specimen attached to Annex V.

2. The certificates of origin shall be issued by the competent governmental authorities of China if the products in question can be considered products originating in China within the meaning of the relevant rules in force in the Community.

3. However, products listed in Annex I other than those falling within groups I or II may be imported into the Community in accordance with the arrangements established by the Regulation on production of a declaration by the exporter or supplier on the invoice, or where there is no invoice, on another commercial document relating to the products in question, to the effect that the said products originate in China within the meaning of the relevant rules in force within the Community.

4. Where different criteria for determining origin are fixed in respect of products falling within a single category and a single tariff heading, the certificate or declaration must include a description of the goods which is sufficiently detailed to allow assessment of the criterion on the basis of which the certificate was issued or the declaration made.

Article 2

The discovery of slight discrepancies between the entries made in the certificate of origin and those made in the documents produced to the customs office for the purpose of carrying out the formalities for importing the product shall not *ipso facto* cast doubt upon the statements in the certificate.

Article 3

1. The certificates of origin form A and forms APR presented at the time of importation into the Community in order to obtain a tariff preference shall be accepted in place of the proof of origin stipulated in Article 1.

2. The proof of origin referred to in Article 1 shall not be required where goods are accompanied by a certificate conforming to the specimen and complying with the conditions set out in Annex VI to this Regulation.

3. Non-commercial imports exempt from production of the documents referred to in paragraph 1 in accordance with the provisions of the preferential arrangements concerned shall not be subject to the provisions of this Annex.

4. The conditions upon which this Annex shall apply to non-commercial imports other than those covered by paragraph 3 shall be adopted in accordance with the procedure specified in Article 14 of Regulation (EEC) No 802/68 ⁽¹⁾, as last amended by Regulation (EEC) No 3860/87 ⁽²⁾.

Pending the implementation of these rules, the Member States may continue to apply the national rules in force in this field.

PART II

Administrative cooperation

Article 4

The Commission shall supply the Member States' authorities with the names and addresses of the authorities in China competent to issue certificates of origin and export licences together with specimens of stamps used by these authorities.

Article 5

1. Subsequent verification of certificates of origin or export licences shall be carried out at random, or whenever the competent Community authorities have reasonable doubt as to the authenticity of the certificate of origin or export licence or as to the accuracy of the information regarding the true origin of the products in question.

In such cases the competent authorities in the Community shall return the certificate of origin or the export licence or a copy thereof to the competent governmental authority in China giving, where appropriate, the reasons of form or substance for an enquiry. If the invoice has been submitted, such invoice or a copy thereof shall be attached to the certificate of origin or export licence or copy thereof. The competent authorities shall also forward any information that has been obtained suggesting that the particulars given on the said certificate or the said licence are inaccurate.

⁽¹⁾ OJ No L 148, 26. 6. 1968, p. 1.

⁽²⁾ OJ No L 363, 23. 12. 1987, p. 3.

2. The provisions of paragraph 1 above shall also be applicable to subsequent verifications of the declarations of origin referred to in Article 1 (3) of this Annex.

3. The results of the subsequent verifications carried out in accordance with paragraphs 1 and 2 shall be communicated to the competent authorities of the Community within three months at the latest.

The information communicated shall indicate whether the disputed certificate or licence or declaration applies to the goods actually exported and whether the goods are eligible for export to the Community under this Regulation. The competent authorities of the Community may also request copies of all documentation necessary to determine the facts fully and, in particular, the true origin of the goods ⁽¹⁾.

4. Should such verifications reveal abuse or major irregularities in the use of declarations of origin, the Member State concerned shall inform the Commission of this fact. The Commission shall pass the information on to the other Member States.

As the request of a Member State or at the initiative of the Commission, the Committee on Origin shall, as soon as possible and in accordance with the procedure specified in Article 13 or Regulation (EEC) No 802/68, examine whether it is desirable to require the production of a certificate of origin, in accordance with Article 1 (1) and (2), in respect of the products concerned.

The decision shall be taken in accordance with the procedure specified in Article 14 of Regulation (EEC) No 802/68.

5. Random recourse to the procedure specified in this Article shall not constitute an obstacle to the release for home use of the products in question.

Article 6

1. Where the verification procedure referred to in Article 5 or where information available to the competent authorities in the Community indicates that the provisions of this Regulation are being contravened, the said authorities shall request China to carry out appropriate enquiries or arrange for such enquiries to be carried out concerning operations which are or appear to be in contravention of the provisions of this Regulation. The results of these enquiries shall be communicated to the competent authorities of the Community together with any other pertinent information enabling the true origin of the goods to be determined.

2. In pursuance of the action taken under the terms of this Annex, the competent authorities of the Community may exchange any information with the competent governmental authorities of China which is considered of use in preventing the contravention of the provisions of this Regulation.

3. Where it is established that the provisions of this Regulation have been contravened, the Commission, acting according to the procedure laid down in Article 15 of this Regulation may agree with China to take such measures as are necessary to prevent recurrence of such contravention.

⁽¹⁾ For the purpose of subsequent verification of certificates of origin, copies of the certificates as well as any export documents referring to them shall be kept for at least two years by the competent governmental authority in China.

ANNEX V

referred to in Articles 1 (2) and 9 (2)

PART I

Classification

Article 1

The classification of the textile products referred to in Article 1 (1) of this Regulation is based on the combined nomenclature.

Article 2

On the initiative of the Commission or of a Member State, the Nomenclature Committee established by Council Regulation (EEC) No 2658/87⁽¹⁾ will examine urgently, in conformity with the provisions of the aforementioned Regulation, all questions concerning the classification of products referred to in Article 1 (1) of this Regulation within the combined nomenclature (CN) in order to classify them in the appropriate categories.

Article 3

The Commission shall inform China of any changes in the combined nomenclature (CN) on their adoption by the competent authorities of the Community.

Article 4

The Commission shall inform the competent authorities of China of any decisions adopted in accordance with the procedures in force in the Community relating to the classification of products subject to this Regulation, within one month at the latest of their adoption. Such communication shall include:

- (a) a description of the products concerned;
- (b) the relevant category, and the combined nomenclature (CN) code;
- (c) the reasons which have led to the Decision.

Article 5

1. Where a classification decision adopted in accordance with current Community procedures results in a change of classification practice or a change in category of any product subject to this Regulation, the competent authorities of the Member States shall provide 30 days' notice, from the date of

the Community's notification, before the decision is put into effect.

2. Products shipped before the date of the application of the decision shall remain subject to earlier classification practice, provided that the goods in question are presented for importation within 60 days of that date.

Article 6

Where a classification decision adopted in accordance with the established Community procedures referred to in Article 5 of this Annex involves a category of products subject to a quantitative limit, the Commission shall, without delay, initiate consultations in accordance with Article 15 of this Regulation, in order to reach an agreement on the necessary adjustments to the relative quantitative limits provided for in Annex III to this Regulation.

Article 7

1. Without prejudice to any other provision on this subject, where the classification indicated in the documentation necessary for importation of the products covered by this Regulation differs from the classification determined by the competent authorities of the Member State into which they are to be imported, the goods in question shall be provisionally subject to the import regime which, in accordance with the provisions of this Regulation, is applicable to them on the basis of the classification determined by the aforementioned authorities.

2. Member States shall inform the Commission without delay of the cases referred to in paragraph 1 and the Commission shall notify the competent authorities of China of the details of the case in question.

3. Member States, at the time of the communication referred to in paragraph 2, shall specify if, following the application of the provisions of paragraph 1, the quantities of the products which are the subject of divergence have been provisionally debited against a quantitative limit laid down for a category of products other than that indicated in the export licence referred to in Article 11 of this Annex.

4. The Commission shall notify the competent authorities of China of the provisional debits referred to in paragraph 3, within 30 days of the date of such provisional debit.

Article 8

In the cases referred to in Article 7 of this Annex, as well as in those cases of a similar nature raised by the competent authorities of China, the Commission, if necessary and in

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

accordance with the procedure provided for in Article 15 of this Regulation, shall enter into consultations with China, in order to reach agreement on the classification definitively applicable for the products causing the divergence.

Article 9

The Commission, in agreement with the competent authorities of the Member State or States of importation and of China, may, in the cases referred to in Article 8 of this Annex, determine the classification definitively applicable to the products causing the divergence.

Article 10

When a case of divergence referred to in Article 7 cannot be resolved in accordance with Article 9 of this Annex, the Nomenclature Committee is required, in accordance with the provisions of the Regulation setting up the aforesaid Committee, to establish definitively the classification of the goods concerned.

PART II

Double-checking system

Article 11

1. The competent government authorities of China shall issue an export licence in respect of all consignments of textile products subject to the quantitative limits established in Annex III up to the level of the said limits and the corresponding shares.

2. The original of the export licence shall be presented by the importer for the purposes of the issue of the import authorization ⁽¹⁾ referred to in Article 14.

Article 12

1. The export licence shall conform to the specimen appended to this Annex and may also contain a translation into another language. It shall certify, *inter alia*, that the quantity of goods in question has been set off against the quantitative limit and the share established for the category of the product concerned.

2. Each export licence shall cover only one of the categories of products listed in Annex III to this Regulation.

Article 13

Exports shall be set off against the quantitative limits and shares established for the year in which the products covered by the export licence have been shipped within the meaning of Article 3 (3) of this Regulation.

⁽¹⁾ In this Annex, the term 'import authorization' shall apply both to import authorization or equivalent document referred to in Article 3 (2) of this Regulation.

Article 14

1. The authorities of the Member State designated on the export licence as the country of destination of the goods concerned shall issue an import licence automatically within a maximum of five working days of the presentation by the importer of the original of the corresponding export licence. This presentation must be effected not later than 31 March of the year following that in which the goods covered by the licence have been shipped.

2. The import authorizations shall be valid for six months from the date of their issue.

3. The import authorizations shall be valid only in the Member State which issued them.

4. The importer's declaration or request to obtain the import authorization shall contain:

- (a) the names of the importer and exporter;
- (b) the country of origin of the products or, when different, the country of export or of purchase;
- (c) a description of the products, including:
 - their commercial designation,
 - a description of the products in accordance with the combined nomenclature (CN) code;
- (d) the appropriate category and the quantity in the appropriate unit as indicated in Annex III to this Regulation for the products in question;
- (e) the value of the products, as indicated in box 12 of the export licence;
- (f) where appropriate, dates of payment and delivery and a copy of the bill of lading and of the purchase contract;
- (g) date and number of the export licence;
- (h) any internal code used for administrative purposes;
- (i) date and signature of importer.

5. Importers shall not be obliged to import the total quantity covered by an import authorization in a single consignment.

Article 15

The validity of import authorizations issued by the authorities of the Member States shall be subject to the validity of and the quantities indicated in the export licences issued by the competent authorities of China on the basis of which the import authorizations have been issued.

Article 16

Import authorizations or equivalent documents shall be issued without discrimination to any importer in the

Community wherever the place of this establishment may be in the Community, without prejudice to compliance with the other conditions required under current rules.

Article 17

1. If the competent authorities of a Member State find that the total quantities covered by export licences issued by China for a particular category in any agreement year exceed the share established for that category, the said authorities shall suspend the further issue of import authorization or documents. In this event, these authorities shall immediately inform the authorities of China and the Commission, and the special consultation procedure set out in Article 15 of this Regulation shall be initiated forthwith by the Commission.

2. Exports of China not covered by export licences issued in accordance with the provisions of this Annex shall be refused the issue of import authorization or documents by the competent authorities of a Member State.

However, if in exceptional cases the import of such products is allowed into a Member State by the competent authorities, the quantities involved shall not be set off against the appropriate share without the express agreement of the competent authorities of China.

PART III

Form and production of export certificates and certificates of origin, and common provisions

Article 18

1. The export licence and the certificate of origin may comprise additional copies duly indicated as such. They shall be made out in English or French. If they are completed by hand, entries must be in ink and in printscript. These documents shall measure 210 × 297 mm. The paper used must be white writing paper, sized, not containing mechanical pulp and weighing not less than 25 g/m². Each part shall have a printed guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.

If the documents have several copies only the top copy, which is the original, shall be printed with the guilloche pattern background. This copy shall be clearly marked as 'original' and the other copies as 'copies'. Only the original shall be accepted by the competent authorities in the Member States

as being valid for the provisions of export in accordance with the provisions of this Regulation.

2. Each document shall bear a standardized serial number, whether or not printed, by which it can be identified.

3. This number shall be composed of the following elements:

- two letters identifying China as follows: CN,
- two letters identifying the Member State of destination as follows:
 - BL = Benelux
 - DE = Federal Republic of Germany
 - DK = Denmark
 - EL = Greece
 - ES = Spain
 - FR = France
 - GB = United Kingdom
 - IR = Ireland
 - IT = Italy
 - PT = Portugal,
- a one-digit number identifying the quota year, corresponding to the last figure in the respective Agreement year, e.g. 9 for 1989,
- a two-digit number identifying the particular issuing office concerned in the exporting country,
- a five-digit number running consecutively from 00001 to 99999 allocated to the respective Member State of destination.

Article 19

The export licence and the certificate of origin may be issued after the shipment of the products to which they relate. In such cases they shall bear the endorsement 'délivré à posteriori' or 'issued retrospectively'.

Article 20

In the event of theft, loss or destruction of an export licence or a certificate of origin, the exporter may apply to the competent governmental authority which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate licence or certificate issued in this way shall bear the endorsement 'duplicata' or 'duplicate'.

The duplicate shall bear the date of the original licence or certificate.

(1) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight - Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.
 (2) In the currency of the sale contract - Dans la monnaie du contrat de vente.

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL	2 No
	3 Quota year Année contingentaire	4 Category number Numéro de catégorie
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	CERTIFICATE OF ORIGIN (Textile products) <hr style="width: 20%; margin: 10px auto;"/> CERTIFICAT D'ORIGINE (Produits textiles)	
	6 Country of origin Pays d'origine	7 Country of destination Pays de destination
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	9 Supplementary details Données supplémentaires	
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DÉSIGNATION DES MARCHANDISES		11 Quantity (1) Quantité (1)
		12 FOB Value (2) Valeur fob (2)
13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITÉ COMPÉTENTE I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Economic Community. Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case 6, conformément aux dispositions en vigueur dans la Communauté économique européenne.		
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	At - À on - le	
	(Signature)	(Stamp - Cachet)

(1) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight - Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.
 (2) In the currency of the sale contract - Dans la monnaie du contrat de vente.

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL	2 No
	3 Quota year Année contingentaire	4 Category number Numéro de catégorie
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	EXPORT LICENCE (Textile products)	
	LICENCE D'EXPORTATION (Produits textiles)	
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	6 Country of origin Pays d'origine	7 Country of destination Pays de destination
	9 Supplementary details Données supplémentaires	
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DÉSIGNATION DES MARCHANDISES		11 Quantity (1) Quantité (1)
		12 FOB value (2) Valeur fob (2)
13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITÉ COMPÉTENTE		
<p>I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with the European Economic Community.</p> <p>Je soussigné certifie que les marchandises désignées ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case 3 pour la catégorie désignée dans la case 4 dans le cadre des dispositions régissant les échanges de produits textiles avec la Communauté économique européenne.</p>		
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	At - À on - le	
	(Signature)	(Stamp - Cachet)

ANNEX VI

referred to in Article 4 (1)

Cottage industry and folklore products

1. The exemption provided for in Article 4 (1) of the Regulation in respect of the cottage industry products shall apply only to the following products:

- (a) fabrics woven on hand- or foot-operated looms, being fabrics of a kind traditionally made in the cottage industry of China;
- (b) garments or other textile articles of a kind traditionally made in the cottage industry of China obtained manually from the fabrics referred to above and sewn exclusively by hand without the aid of any machine;
- (c) traditional folklore textile products of China made by hand in the cottage industry of China as defined in a list agreed between both parties, and contained in the Annex to Protocol B to the Agreement.

2. Exemption shall be granted only for products accompanied by a certificate issued by the competent Chinese authorities in accordance with the specimen attached to this Annex. Such certificates shall state the grounds on which exemption is based and shall be accepted by the competent Community authorities provided that they are satisfied that the products concerned conform to the conditions set out in Protocol B to the Agreement. Certificates covering the products referred to in paragraph 1 (c) shall bear a conspicuous stamp: 'FOLKLORE'. In case of divergent opinion between China and the competent Community authorities at the point of entry into the Community as to the nature of such products, consultations shall be held within one month with a view to resolving such divergences. Should imports of any of the above products reach such proportions as to cause difficulties to the Community, the two Parties shall open consultations forthwith in accordance with the procedure laid down in Article 16 of the Agreement with a view to finding a quantitative solution to the problem.

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL		2 No
3 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<p style="text-align: center;">CERTIFICATE in regard to HANDLOOMS, TEXTILE HANDICRAFTS and TRADITIONAL TEXTILE PRODUCTS, OF THE COTTAGE INDUSTRY, issued in conformity with and under the conditions regulating trade in textile products with the European Economic Community</p> <hr/> <p style="text-align: center;">CERTIFICAT relatif aux TISSUS TISSÉS SUR MÉTIERS À MAIN, aux PRODUITS TEXTILES FAITS À LA MAIN, et aux PRODUITS TEXTILES RELEVANT DU FOLKLORE TRADITIONNEL, DE FABRICATION ARTISANALE, délivré en conformité avec et sous les conditions régissant les échanges de produits textiles avec la Communauté économique européenne</p>		
6 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	4 Country of origin Pays d'origine	5 Country of destination Pays de destination	
8 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DÉSIGNATION DES MARCHANDISES	9 Quantity Quantité		10 FOB Value (¹) Valeur fob (¹)
<p>11 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE</p> <p>I, the undersigned, certify that the consignment described above includes only the following textile products of the cottage industry of the country shown in box No 4:</p> <p>a) fabrics woven on looms operated solely by hand or foot (handlooms) (²)</p> <p>b) garments or other textile articles obtained manually from the fabrics described under a) and sewn solely by hand without the aid of any machine (handicrafts) (²)</p> <p>c) traditional folklore handicraft textile products made by hand, as defined in the list agreed between the European Economic Community, and the country shown in box No 4.</p> <p>Je soussigné certifie que l'envoi décrit ci-dessus contient exclusivement les produits textiles suivants relevant de la fabrication artisanale du pays figurant dans la case 4:</p> <p>a) tissus tissés sur des métiers actionnés à la main ou au pied (handlooms) (²)</p> <p>b) vêtements ou autres articles textiles obtenus manuellement à partir de tissus décrits sous a) et cousus uniquement à la main sans l'aide d'une machine (handicrafts) (²)</p> <p>c) produits textiles relevant du folklore traditionnel fabriqués à la main, comme définis dans la liste convenue entre la Communauté économique européenne et le pays indiqué dans la case 4.</p>			
12 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	<p>At — À on — le</p> <p style="text-align: center;">(Signature) (Stamp — Cachet)</p>		

(¹) In the currency of the sale contract — Dans la monnaie du contrat de vente.
 (²) Delete as appropriate — Biffer la (les) mention(s) inutile(s).

ANNEX VII

referred to in Article 6 (3)

Outward processing traffic

Article 1

Re-imports into the Community of textile products referred to in the table attached to this Annex, effected in accordance with the Regulations on economic outward processing in force in the Community, shall not be subject to the quantitative limits referred to in Article 3 of the Regulation where they are subject to specific quantitative limits given in the table and have been re-imported into the Member State concerned after processing in China.

Article 2

The specific Community quantitative limits laid down in the table attached to this Annex shall be broken down by Member State in accordance with the procedure laid down in Article 16 of the Regulation.

Article 3

Re-imports not covered by this Annex may be subject to specific quantitative limits in accordance with the procedure laid down in Article 16 of the Regulation, provided that the products concerned are subject to the quantitative limits laid down in Article 3 of this Regulation.

Article 4

1. Transfers between categories and advance use or carry-over of portions of specific quantitative limits from one year to another may be carried out in accordance with the procedure laid down in Article 16 of the Regulation.

2. However, the competent authorities in the Member States may carry out automatic transfers within the following limits:

- transfer between categories for up to 20% of the share established for the category to which the transfer is made,
- carry-over of a specific quantitative limit from one year to another for up to 10,5% of the share established for the actual year of utilization,

— advance use of the specific quantitative limits for up to 7,5% of the share established for the actual year of utilization.

3. Portions of any specific quantitative limits not used in one Member State may be reallocated to another Member State in accordance with the procedure laid down in Article 16 of the Regulation.

4. Member States which find that they need additional imports or which consider that their share is unlikely to be used in full shall inform the Commission thereof. They may ask that the specific quantitative limits be adjusted in accordance with the procedure laid down in Article 16 of the Regulation.

5. The Commission shall inform China of any measures taken pursuant to the preceding paragraphs.

Article 5

Debiting against a specific quantitative limit as laid down in Article 1 shall be carried out by the competent authorities of the Member States at the time of issue of the prior authorizations provided for in the Regulation on economic outward processing in force in the Community. A specific quantitative limit shall be debited for the year in which the prior authorization is issued.

Article 6

The certificate of origin shall be issued by the competent governmental authorities in the supplier country concerned, in accordance with the Community legislation in force and the provisions of Annex IV for all products covered by this Annex.

Article 7

The competent authorities of the Member States shall supply the Commission with the names and addresses of the authorities in the Member States competent to issue the prior authorizations referred to in Article 4 together with specimens of the stamp impressions used by them.

Appendix

The product descriptions set out in Annex I are repeated in this table in a shortened version

(Quantitative outward processing trade objectives)

Category	Description	Member State	Units	Quantitative limits from 1 January to 31 December			
				1989	1990	1991	1992
6	Trousers and shorts, woven	D	1 000 pieces	471	499	529	561
		F		305	323	342	363
		I		249	264	280	297
		BNL		175	186	197	208
		EEC		1 200	1 272	1 348	1 429
7	Blouses and shirt-blouses	D	1 000 pieces	137	145	154	163
		F		89	94	100	106
		I		73	78	82	87
		BNL		51	54	57	61
		EEC		350	371	393	417
8	Woven shirts	D	1 000 pieces	392	410	428	448
		F		254	265	277	289
		I		208	217	227	238
		BNL		146	153	160	167
		EEC		1 000	1 045	1 092	1 142
21	Parkas, anoraks and the like, woven	D	1 000 pieces	314	338	363	391
		F		203	218	235	253
		I		166	178	192	206
		BNL		117	126	135	144
		EEC		800	860	925	994
26	Dresses	D	1 000 pieces	600	645	693	745
76	Industrial or occupational garments, woven	D	1 000 pieces	600	645	693	745

COUNCIL REGULATION (EEC) No 2136/89

of 21 June 1989

laying down common marketing standards for preserved sardines

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products ⁽¹⁾, as last amended by Regulation (EEC) No 1495/89 ⁽²⁾, and in particular Article 2 ⁽³⁾ thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3796/81 provides for the possibility of adopting common marketing standards for fishery products in the Community, particularly in order to keep products of unsatisfactory quality off the market and to facilitate trade relations based on fair competition;

Whereas the adoption of such standards for preserved sardines is likely to improve the profitability of sardine production in the Community, and the market outlets therefor, and to facilitate disposal of the products;

Whereas it must be specified in this context, particularly in order to ensure market transparency, that the products concerned must be prepared exclusively with fish of the species '*Sardina pilchardus* Walbaum' and must contain a minimum quantity of fish;

Whereas, in order to ensure good market presentation, the criteria for the preparation of the fish prior to packaging, the presentations in which it may be marketed and the covering media and additional ingredients which may be used should be laid down; whereas these criteria must not, however, be such as to preclude the introduction of new products on to the market;

Whereas, to prevent the marketing of unsatisfactory products, certain criteria which preserved sardines must satisfy in order to be marketed in the Community for human consumption should be defined;

Whereas Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States related to the labelling, presentation and advertising of

foodstuffs for sale to the ultimate consumer ⁽³⁾ as last amended by Directive 86/197/EEC ⁽⁴⁾ and Council Directive 76/211/EEC of 20 January 1976 on the approximation of the laws of the Member States relating to making-up by weight or by volume of certain pre-packaged products ⁽⁵⁾ as last amended by Directive 78/891/EEC ⁽⁶⁾, specify the particulars required for correct information and protection of the consumer as regards the contents of packages; whereas, for preserved sardines, the trade description should be determined according to the culinary preparation proposed, having particular regard to the ratio between the various ingredients in the finished product; whereas, where the covering medium is oil, the way in which the oil must be described should be specified;

Whereas the Commission should have responsibility for the adoption of any technical implementing measures,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation defines the standards governing the marketing of preserved sardines in the Community.

Article 2

Only products meeting the following requirements may be marketed as preserved sardines and under the trade description referred to in Article 7:

- they must be covered by CN codes 1604 13 10 and ex 1604 20 50;
- they must be prepared exclusively from fish of the species '*Sardina pilchardus* Walbaum';
- they must be pre-packaged with any appropriate covering medium in a hermetically sealed container;
- they must be sterilized by appropriate treatment.

Article 3

The sardines must, to the extent required for good market presentation, be appropriately trimmed of the head, gills,

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 148, 1. 6. 1989, p. 1.

⁽³⁾ OJ No L 33, 8. 2. 1979, p. 1.

⁽⁴⁾ OJ No L 144, 29. 5. 1986, p. 38.

⁽⁵⁾ OJ No L 46, 21. 2. 1976, p. 1.

⁽⁶⁾ OJ No L 311, 4. 11. 1978, p. 21.

caudal fin and internal organs other than the ova, milt and kidneys, and, according to the market presentation concerned, backbone and skin.

Article 4

Preserved sardines may be marketed in any of the following presentations:

1. sardines: the basic product, fish from which the head, gills, internal organs and caudal fin have been appropriately removed. The head must be removed by making a cut perpendicular to the backbone, close to the gills;
2. sardines without bones: as the basic product referred to in point 1, but with the additional removal of backbone;
3. sardines without skin or bones: as the basic product referred to in point 1, but with the additional removal of the backbone and skin;
4. sardine fillets: portions of flesh obtained by cuts parallel to the backbone, along the entire length of the fish, or a part thereof, after removal of the backbone, fins and edge of the stomach lining. Fillets may be presented with or without skin;
5. sardine trunks: sardine portions adjacent to the head, measuring at least 3 cm in length, obtained from the basic product referred to in point 1 by making transverse cuts across the backbone;
6. any other form of presentation, on condition that it is clearly distinguished from the presentations defined in points 1 to 5.

Article 5

For the purposes of the trade description laid down in Article 7, a distinction shall be drawn between the following covering media, with or without the addition of other ingredients:

1. olive oil;
2. other refined vegetable oils, including olive-residue oil used singly or in mixtures;
3. tomato sauce;
4. natural juice (liquid exuding from the fish during cooking), saline solution or water;
5. marinade, with or without wine;
6. any other covering medium, on condition that it is clearly distinguished from the other covering media defined in points 1 to 5.

These covering media may be mixed, but olive oil may not be mixed with other oils.

Article 6

1. After sterilization, the products in the container must satisfy the following minimum criteria:

- (a) for the presentations defined in points 1 to 5 of Article 4, the sardines or parts of sardine must:
 - be reasonably uniform in size and arranged in an orderly manner in the container,
 - be readily separable from each other,
 - present no significant breaks in the abdominal wall,
 - present no breaks or tears in the flesh;
 - present no yellowing of tissues, with the exception of slight traces,
 - comprise flesh of normal consistency. The flesh must not be excessively fibrous, soft or spongy,
 - comprise flesh of a light or pinkish colour, with no reddening round the backbone, with the exception of slight traces;
- (b) the covering medium must have the colour and consistency characteristic of its description and the ingredients used. In the case of an oil medium, the oil may not contain aqueous exudate in excess of 8 % of net weight;
- (c) the product must retain the odour and flavour characteristics of the species '*Sardina pilchardus* Walbaum' and the type of covering medium, and must be free of any disagreeable odour or taste, in particular bitterness, or taste of oxidation or rancidity;
- (c) the product must be free of any foreign bodies;
- (e) in the case of products with bones, the backbone must be readily separable from the flesh and friable;
- (f) products without skin and without bones must present no significant residues thereof.

2. The container may not present external oxidation or deformation affecting good commercial presentation.

Article 7

Without prejudice to Directives 79/112/EEC and 76/211/EEC, the trade description on the pre-packaging of preserved sardines must correspond to the ratio between the weight of sardines in the container after sterilization and the net weight, both expressed in grams.

- (a) For the presentations defined in points 1 to 5 of Article 4, the ratio shall be not less than the following values:
 - 70 % for the covering media listed in points 1, 2, 4 and 5 of Article 5,
 - 65 % for the covering medium described in point 3 of Article 5;
 - 50 % for the covering media referred to in point 6 of Article 5.

Where these values are complied with, the trade description must correspond to the presentation of the sardine on the basis of the corresponding designation referred to in Article 4. The designation of the covering medium must form an integral part of the trade description.

In the case of products in oil, the covering medium must be designated by one of the following expressions:

- 'in olive oil', where that oil is used,
or
- 'in vegetable oil', where other refined vegetable oils, including olive-residue oil, or mixtures thereof are used,
or
- 'in . . . oil', indicating the specific nature of the oil.

- (b) For the presentations referred to in point 6 of Article 4, the ratio referred to in the first subparagraph must be at least 35%.
- (c) In the case of culinary preparations other than those defined in (a), the trade description must indicate the specific nature of the culinary preparation.

By way of derogation from Article 2, second indent at point (b) of this Article, preparations using

homogenized sardine flesh, involving the disappearance of its muscular structure, may contain the flesh of other fish which have undergone the same treatment provided that the proportion of sardines is at least 25%.

- (d) The trade description, as defined in this Article, shall be reserved for the products referred to in Article 2.

Article 8

Where necessary, the Commission shall adopt, in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 3796/81, the measures necessary to apply this Regulation, in particular the sampling plan for assessing conformity of manufacturing batches with the requirements of this Regulation.

Article 9

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply as from 1 January 1990.

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

Done at Luxembourg, 21 June 1989.

For the Council
The President
C. ROMERO HERRERA

COUNCIL REGULATION (EEC) No 2137/89

of 21 June 1989

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Economic Community and the Socialist Republic of Romania amending Annex II to the Protocol annexed to the Agreement on trade in industrial products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 Joint Committee established by the Agreement between the European Economic Community and the Socialist Republic of Romania of 28 July 1980⁽¹⁾ met in Bucharest on 21 and 22 November 1988; whereas upon completion of its work, it recommended *inter alia* an increase in some of the amounts appearing in Annex II to the Protocol on the application of Article 4 of the Agreement between the European Economic Community and the Socialist Republic of Romania on trade in industrial products⁽²⁾;

Whereas the said Protocol provides that amendments to the annexes thereto, recommended by the Joint Committee, should be notified by an Exchange of Letters between the two parties;

Whereas, following the examination of the various aspects of the measures recommended by the Joint Committee, action should be taken thereon, account being taken, in particular, of the relevant provisions of the Agreement on trade in industrial products.

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

Done at Luxembourg, 21 June 1989.

Article 1

The Agreement in the form of an Exchange of Letters between the European Economic Community and the Socialist Republic of Romania amending Annex II to the Protocol annexed to the Agreement on trade in industrial products is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Article 3

The amendment referred to in Article 1 shall apply from the date of entry into force of the Agreement⁽³⁾.

Article 4

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

For the Council

The President

C. ARANZADI

⁽¹⁾ OJ No L 352, 29. 12. 1980, p. 2.

⁽²⁾ OJ No L 352, 29. 12. 1980, p. 5.

⁽³⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General-Secretariat of the Council.

AGREEMENT

in the form of an Exchange of Letters between the European Economic Community and the Socialist Republic of Romania amending Annex II to the Protocol annexed to the Agreement on Trade in Industrial Products

Letter No 1

Sir,

At its meeting in Bucharest on 21 and 22 November 1988 the Joint Committee, established by the Agreement between the European Economic Community and the Socialist Republic of Romania of 28 July 1980, recommended *inter alia* an increase in some of the amounts appearing in Annex II to the Protocol on the application of Article 4 of the Agreement between the European Economic Community and the Socialist Republic of Romania on trade in industrial products.

The recommended amendments are set out in the attached Annex, which replaces the corresponding Annex to the Protocol.

I have the honour to inform you that the Council of the European Communities has recorded its agreement on the implementation of the measures referred to above.

I should be grateful for confirmation of your Government's agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Communities*

Letter No 2

Sir,

By your letter of today's date, you informed me as follows:

'At its meeting in Bucharest on 21 and 22 November 1988 the Joint Committee, established by the Agreement between the European Economic Community and the Socialist Republic of Romania of 28 July 1980, recommended *inter alia* an increase in some of the amounts appearing in Annex II to the Protocol on the application of Article 4 of the Agreement between the European Economic Community and the Socialist Republic of Romania on trade in industrial products.

The recommended amendments are set out in the attached Annex, which replaces the corresponding Annex to the Protocol.

I have the honour to inform you that the Council of the European Communities has recorded its agreement on the implementation of the measures referred to above.

I should be grateful for confirmation of your Government's agreement with the contents of this letter.'

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

*For the Government
of the Socialist Republic of Romania*

ANNEX

Amendment to Annex II to the Protocol on the application of Article 4 of the Agreement on Trade in Industrial Products

ROMANIAN EXPORT PROGRAMME

Member State	NIMEXE code 1987	CN code 1988	Description	Amount envisaged
Ireland	94.04-11	ex 9404 21 00	Mattresses of cellular plastics, whether or not covered	8 tonnes
	ex 94.04-19	ex 9404 90 90	Articles of bedding, other than mattresses and sleeping bags, of cellular plastics	
	94.04-30	9404 10 00	Mattress supports	
Italy	27.07-39	2707 50 99	Aromatic hydrocarbon mixtures of which 65 % or more by volume (including losses) distils at 250 °C by the ASTM D 86 method, for use other than as power or heating fuels, other than benzole, toluole, xylene and naphthalene	Lit 470 million
		ex 2707 99 30	Sulphuretted toppings other than those for use as power or heating fuels	
	28.17-11	2815 11 00	Sodium hydroxide (caustic soda)	Lit 470 million
	28.17-15	2815 12 00		
	ex 28.46-90	ex 2840 30 00	Peroxoborates (perborates) of sodium	360 tonnes
	29.02-10	2903 30 10	Fluorides	14 tonnes
	ex 29.02-21	ex 2903 11 00	Chloromethane (methyl chloride)	Lit 925 million
	29.02-31	2903 21 00	Unsaturated chlorinated derivatives of acyclic hydrocarbons	
	29.02-33	2903 22 00		
	29.02-35	2903 23 00		
	29.02-36	2903 29 00		
	29.02-38			
	29.13-11	2914 11 00	Acetone	4 100 tonnes
	29.15-17	2917 14 00	Maleic anhydride	250 tonnes
	29.15-40	2917 35 00	Phthalic anhydride	310 tonnes
	ex 29.15-65	ex 2917 34 10	Diisooctyl orthophthalates	Lit 695 million
	ex 29.15-71	ex 2917 34 90	Dimethyl and diethyl orthophthalates	
	44.18-11	4410 10 10	Particle board and similar board of wood, whether or not agglomerated with resins or other organic binding substances	9 000 tonnes
	44.18-21	4410 10 30		
	44.18-25	4410 10 50		
44.18-29	4410 10 90			
48.01-06	4804 31 10 4804 39 10	Kraft paper and paperboard weighing 150 g/m ² or less, for the manufacture of paper yarn of heading No 5308 or of paper yarn reinforced with metal of heading No 5607		
48.01-07	4804 21 10	Sack kraft paper of which not less than 80 % by weight of the total fibre content consists of coniferous fibres obtained by the chemical sulphate or soda process		
48.01-10	4804 29 10			
48.01-20	4804 11 11	Kraftliner of which not less than 80 % by weight of the total fibre content consists of coniferous fibres obtained by the chemical sulphate or soda process		
48.01-22	4804 11 15			
48.01-24	4804 11 19			
48.01-30	4804 19 11			
48.01-32	4804 19 15			
48.01-34	4804 19 19			
48.01-36	4804 19 31			
48.01-38	4804 19 35			
48.01-39	4804 19 39			

Member State	NIMEXE code 1987	CN code 1988	Description	Amount envisaged	
Italy (cont'd)	48.01-40	4804 31 51	Other kraft paper and paperboard of which not less than 80 % by weight of the total fibre content consists of coniferous fibres obtained by the chemical sulphate or soda process		
	48.01-42	4804 31 59			
	48.01-44	4804 39 51			
	48.01-46	4804 39 59			
	48.01-50	4804 41 10			
	48.01-51	4804 42 10			
		4804 49 10			
		4804 51 10			
		4804 52 10			
		4804 59 10			
		4809 90 00	Copying or transfer papers (including coated or impregnated paper for duplicator stencils or offset plates), other than carbon paper and self-copy paper, whether or not printed in rolls of a width exceeding 36 cm or in rectangular (including square) sheets with at least one side exceeding 36 cm in unfolded state	3 500 tonnes	
	48.01-48	4802 53 11	Kraft paper and paperboard for punch card stock, weighing more than 150 g/m ² , not containing fibres obtained by a mechanical process or of which not more than 10 % by weight of the total fibre content consists of such fibres		
	70.04	7003 11 90	7003 19 90	Cast glass and rolled glass (other than optical glass), in sheets, whether or not having an absorbent or reflecting layer, but not otherwise worked	
			7003 20 10		
			7003 20 90		
	70.05	7004 10 30	7004 10 50	Drawn glass and blown glass (other than optical glass), in sheets, whether or not having an absorbent or reflecting layer, but not otherwise worked	
			7004 10 90		
			7004 90 50		
			7004 90 70		
			7004 90 91		
			7004 90 93		
			7004 90 95		
7004 90 99					
70.06	7005 10 10	7005 10 31	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent or reflecting layer, but not otherwise worked	6 000 tonnes	
		7005 10 33			
		7005 10 35			
		7005 10 91			
		7005 10 93			
		7005 10 95			
		7005 21 10			
		7005 21 20			
		7005 21 30			
		7005 21 40			
		7005 21 50			
		7005 21 90			
		7005 29 10			
		7005 29 31			
		7005 29 33			
		7005 29 35			
7005 29 91					
7005 29 93					
7005 29 95					
70.07	7003 30 00		Cast glass and rolled glass, in profiles, whether or not having an absorbent or reflecting layer, but not otherwise worked		
		7006 00 90	Glass (other than optical glass) of heading No 7003, 7004 or 7005, bent, edge-worked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials		

Member State	NIMEXE code 1987	CN code 1988	Description	Amount envisaged	
Italy (cont'd)	70.07	7008 00 11	Multiple-walled insulating units of glass	}	
		7008 00 19			
		7008 00 91			
		7008 00 99			
		7016 90 10			Leaded lights and the like
	76.02	7604 10 10	Aluminium bars, rods and profiles, other than hollow profiles		}
		7604 10 90			
		7604 29 10			
		7604 29 90			
		7605 11 00	Aluminium wire		
		7605 19 10			
		7605 19 90			
		7605 21 00			
		7605 29 10			
		7605 29 90			
	76.03	7606 11 10	Aluminium plates, sheets and strip, of a thickness exceeding 0,2 mm		}
		7606 11 91			
		7606 11 93			
		7606 11 99			
		7606 12 10			
		7606 12 50			
		7606 12 91			
		7606 12 93			
7606 12 99					
7606 91 00					
7606 92 00					
76.04	7607 11 10	Aluminium foil (whether or not printed or backed with paper, paperboard, plastics or similar backing materials) of a thickness (excluding any backing) not exceeding 0,2 mm	}		
	7607 11 90				
	7607 19 10				
	7607 19 90				
	7607 20 10				
7607 20 90					
ex 84.06	ex 8408 20 10	Engines of a kind used for the propulsion of vehicles of heading No 8701	}		
	8408 20 31				
	8408 20 35				
	8408 20 37				
ex 84.07	ex 8706 00 19	Chassis fitted with engines, for the motor vehicles of heading No 8701	}		
	8706 00 99				
ex 87.05	ex 8707 90 10 ex 8707 90 90	Bodies (including cabs), for the motor vehicles of heading No 8701	}		
ex 87.06	ex 8708	Parts and accessories of the motor vehicles of heading No 8701		Lit 5 225 million	

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 20 June 1989

on hygiene and health problems affecting the production and the placing on the market of egg products

(89/437/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas, in order to ensure the smooth operation of the common market and more especially of the common organization of the market in eggs established by Regulation (EEC) No 2771/75 ⁽⁴⁾, as last amended by Regulation (EEC) No 3907/87 ⁽⁵⁾, and of the common system of trade for ovalbumin and lactalbumin introduced by Regulation (EEC) No 2783/75 ⁽⁶⁾, as amended by Regulation (EEC) No 4001/87 ⁽⁷⁾, it is essential that the marketing of egg products should no longer be hindered by disparities existing between Member States in respect of health requirements in this area; whereas this will enable production to be better harmonized and bring about competition on equal terms while assuring consumers of a quality product;

Whereas the marketing of certain egg products which are not covered by Annex II to the Treaty is closely linked with the marketing of egg products for which a market organization exists; whereas distortions of competition should be eliminated for all egg products;

Whereas it appears appropriate to exclude from the scope of this Directive egg products which are obtained in small scale enterprises, shops or restaurants and used for the manufacture of foodstuffs intended for direct sale to the final consumer or to be consumed on the spot;

Whereas health requirements should be laid down for the production, storage and transport of egg products; whereas, in particular, it is important that rules be laid down governing the approval of establishments;

Whereas it is important also that the health requirements to be met by egg products be laid down;

Whereas the said rules must apply in an identical manner to intra-Community trade and to trade within the Member States;

Whereas it is the responsibility primarily of producers to ensure that egg products meet the health requirements laid down in this Directive; whereas the competent authorities of the Member States must, by carrying out checks and inspections, see to it that producers comply with the abovementioned requirements; whereas the rules governing these checks and inspections must take account of the demands of the internal market;

Whereas a random check must be made to detect the presence of residues of substances liable to be harmful to human health;

⁽¹⁾ OJ No C 67, 14. 3. 1987, p. 9 and OJ No C 53, 2. 3. 1989, p. 10.

⁽²⁾ OJ No C 187, 18. 7. 1988, p. 184.

⁽³⁾ OJ No C 232, 31. 8. 1987, p. 1.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽⁵⁾ OJ No L 370, 30. 12. 1987, p. 14.

⁽⁶⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽⁷⁾ OJ No L 377, 31. 12. 1987, p. 44.

Whereas Community control measures should be introduced to guarantee the uniform application in all Member States of the standards laid down in this Directive;

Whereas, in the context of intra-Community trade, the consignor, the consignee or their representative must be given the opportunity, where a dispute arises with the competent authorities of the Member States of destination, of seeking an expert's opinion;

Whereas egg products manufactured in a third country intended to be placed on the market on Community territory must not qualify for more favourable arrangements than those laid down in this Directive; whereas provision should be made for a Community procedure for inspecting establishments in third countries;

Whereas the Commission should be entrusted with the task of adopting certain measures for implementing this Directive; whereas, to that end, procedures should be laid down introducing close and effective cooperation between the Commission and the Member States within the Standing Veterinary Committee,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive lays down hygiene and health requirements concerning the production and the placing on the market of egg products for direct human consumption or for the manufacture of foodstuffs.

However, this Directive shall not apply to:

- finished foodstuffs manufactured from egg products, as defined in Article 2 and which meet with the provisions of Article 3,
- egg products which are obtained in small scale enterprises and which, without having undergone any treatment, are used for the manufacture of foodstuffs intended for direct sale, without any intermediary, to the consumer or consumed on the spot immediately after having been prepared.

Article 2

For the purposes of this Directive, the definition given in Article 1 (2) of Regulation (EEC) No 2772/75⁽¹⁾ shall apply. The following definitions shall also apply:

1. egg products: products obtained from eggs, their various components or mixtures thereof, after removal of the shell and membranes, intended for human consumption; they may be partially supplemented by other foodstuffs or additives; they may be liquid, concentrated, dried, crystallized, frozen, quick-frozen or coagulated;

2. farm of production: without prejudice to Regulation (EEC) No 2782/75⁽²⁾, farm for the production of eggs intended for human consumption;
3. establishment: establishment approved for the manufacture and/or treatment of egg products;
4. cracked eggs: eggs with a damaged but unbroken shell, with intact membranes;
5. batch: a quantity of egg products which have been prepared under the same conditions and in particular treated in a single continuous operation;
6. consignment: a quantity of egg products for a single delivery to one destination for further processing by the food industry or intended for direct human consumption;
7. country of dispatch: the Member State or third country from which egg products are dispatched to another Member State;
8. country of destination: the Member State to which egg products are dispatched from another Member State or from a third country;
9. packing: the placing of egg products in any form of package;
10. competent authority: the veterinary department or any other equivalent department designated by the Member State concerned to monitor compliance with the provisions of this Directive;
11. placing on the market: the marketing of egg products, as defined in point 5 of Article 1 of Regulation (EEC) No 2772/75.

Article 3

Member States shall ensure that only egg products which meet the following general requirements are produced as foodstuffs or used in the manufacture of foodstuffs:

- (a) they must have been obtained from hens', ducks', geese's, turkeys's, guinea fowl's or quail's eggs, but not a mixture of eggs of different species;
- (b) they must bear an indication of the percentage of egg ingredients they contain when they are partially supplemented by other foodstuffs or, provided they fulfil the requirements of Article 12, by additives;
- (c) they must have been treated and prepared in an establishment approved in accordance with Article 6 which complies with Chapters I and II of the Annex, and satisfy the requirements of this Directive;
- (d) they must have been prepared under hygiene conditions complying with Chapters III and V of the Annex, from

(1) OJ No L 282, 1. 11. 1975, p. 56.

(2) OJ No L 282, 1. 11. 1975, p. 100.

eggs meeting the requirements laid down in Chapter IV of the Annex;

- (e) they must have undergone a treatment process authorized under the procedure laid down in Article 14 which enables them to meet *inter alia* the analytical specifications laid down in Chapter VI of the Annex.

However, where it is necessary for technological reasons associated with the preparation of certain foodstuffs obtained from egg products, the competent authority shall decide, on the basis of criteria to be determined in accordance with the procedure laid down in Article 14, that certain egg products need not undergo treatment; in such a case, the egg products must be used without delay in the establishment where they are intended for the manufacture of other foodstuffs;

- (f) they must comply with the analytical specifications set out in Chapter VI of the Annex;
- (g) they must have undergone a health check in accordance with Chapter VII of the Annex;
- (h) they must have been packed in accordance with Chapter VIII of the Annex;
- (i) they must be stored and transported in accordance with Chapters IX and X of the Annex;
- (j) they must bear the mark of wholesomeness provided for in Chapter XI of the Annex and, where intended for direct human consumption, must meet the requirements of Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer⁽¹⁾, as last amended by Directive 86/197/EEC⁽²⁾.

Article 4

The competent authorities shall ensure that the manufacturers of egg products adopt all measures necessary to comply with this Directive, and in particular that:

- samples for laboratory examination are taken in order to check that the analytical specifications set out in Chapter VI of the Annex have been observed,
- egg products that may not be kept at the ambient temperature are transported or stored at the temperatures stipulated in Chapters IX and X of the Annex,
- the period during which the conservation of egg products is assured is laid down,
- the results of the various checks and tests are recorded and kept for presentation to them for a period of two years,
- each batch marked in such a way that its date of treatment can be identified; this batch mark must appear on the

treatment record and on the mark of wholesomeness provided for in Chapter XI.

Article 5

1. Member States shall ensure that checks are effected to detect any residues of substances having a pharmacological or hormonal action, and of antibiotics, pesticides, detergents and other substances which are harmful or which might alter the organoleptic characteristics of egg products or make their consumption dangerous or harmful to human health.

2. If the egg products examined show traces of residues in excess of the permitted levels fixed in accordance with paragraph 4, they must not be allowed to be used in food for human consumption or placed on the market, either for the manufacture of foodstuffs or for direct human consumption.

3. Tests for residues must be carried out in accordance with proven and scientifically recognized methods, in particular those prescribed in Community Directives or other international standards.

It must be possible to assess the tests for residues using reference methods laid down in accordance with the procedure set out in Article 14 after the Scientific Veterinary Committee has expressed its opinion.

In accordance with the same procedure, at least one reference laboratory must be designated in each Member State to carry out the examination for residues in the event of application of Articles 7 and 8.

The Commission shall publish the reference methods and the list of reference laboratories in the *Official Journal of the European Communities*.

4. Acting by a qualified majority on a proposal from the Commission, the Council shall adopt:

- the detailed arrangements for monitoring,
- the tolerances for the substances referred to in paragraph 2,
- the frequency of sampling.

Article 6

1. Member States shall draw up lists of their approved establishments, each of which shall have an approval number. Member States shall forward this list to the other Member States and to the Commission.

No Member State shall approve an establishment unless compliance with this Directive is assured. A Member State shall withdraw approval if the conditions for granting it cease

⁽¹⁾ OJ No L 33, 8. 2. 1979, p. 1.

⁽²⁾ OJ No L 144, 29. 5. 1986, p. 38.

to be fulfilled. The other Member States and the Commission shall be informed of the withdrawal of approval.

2. The inspection and monitoring of establishments and packaging centres shall be carried out regularly on the responsibility of the competent authority, which shall at all times have free access to all parts of the establishments, in order to ensure that this Directive is being observed.

If such inspections reveal that not all the requirements of this Directive are being met, the competent authority shall take the appropriate action to remedy the situation.

Article 7

1. Experts from the Commission may, in cooperation with the competent authorities, make on-the-spot checks insofar as that is indispensable for ensuring uniform application of the Directive; they may in particular verify whether establishments and packing centres approved in accordance with Article 5 (3) of Regulation (EEC) No 2772/75 are actually complying with the Directive.

A Member State within the territory of which a check is being carried out shall give all necessary assistance to the experts in carrying out their duties. The Commission shall inform the Member State concerned of the results of the checks.

The Member State concerned shall take any measures required to take account of the results of the check. If the Member State does not take those measures, the Commission may, in accordance with the procedure laid down in Article 13, decide that the Member State in question must suspend the placing on the market of egg products from the establishment which fails to comply with this Directive.

2. Before the checks referred to in paragraph 1 are carried out, in accordance with the procedure laid down in Article 14, the general provisions for applying this Article shall be determined and a Commission recommendation shall be established, containing the rules to be followed for the purpose of the checks provided for in paragraph 1.

Article 8

1. Without prejudice to Articles 6 and 7, the country of destination may, where there are serious grounds for suspecting irregularities, carry out non-discriminatory inspections of egg products in order to check that a consignment meets the requirements of this Directive.

2. The inspections referred to in paragraph 1 shall be carried out at the place of destination of the goods or at another suitable place, provided that in the latter case the choice of the place interferes as little as possible with the routing of the goods.

Such inspections must be carried out as soon as possible so as not unduly to delay the placing of egg products on the market, or cause delays which might impair their quality.

3. If, during an inspection carried out in accordance with paragraphs 1 and 2, it is found that the egg products do not comply with this Directive, the competent authority of the country of destination may give the consignor, the consignee or their representative the choice of withdrawing the consignment from the market in order that it may undergo further treatment or of using it for other purposes if this is permissible on health grounds. If not, the alternative offered must be the destruction of the egg products. In any event, precautionary measures shall be taken by the competent authority to prevent improper use of such egg products.

4. (a) Decisions and the grounds for taking them must be notified to the consignor, the consignee or their representative. Should such person so request, reasons must be given for such decisions and must be notified to him immediately in writing together with particulars of the remedies available to him under the law, their forms and the time limits within which action must be taken.

Remedies available to the consignor, the consignee or their representative shall not be affected by this Directive.

(b) If such decisions are based on the existence of a particularly serious risk to human health, they shall be communicated forthwith to the competent authority of the Member State of dispatch and to the Commission.

(c) Following such communication, appropriate measures may be taken in accordance with the procedure laid down in Article 13, in particular for the purpose of coordinating the measures taken in other Member States with regard to the egg products concerned.

5. Member States shall grant consignors whose egg products may not be placed on the market as a result of an inspection as provided for in paragraph 1 the right to obtain an expert's opinion.

The expert must be a national of a Member State other than the country of dispatch or the country of destination.

The Commission, acting on a proposal from the Member States, shall draw up a list of experts who may be instructed to prepare such opinions. The detailed rules for the application of this paragraph shall be adopted according to the procedure laid down in Article 14.

Article 9

Where a Member State considers, after carrying out an inspection in accordance with Article 8, that the provisions of

this Directive are no longer being observed in an establishment in another Member State it shall so inform the competent authority of that State. The said authority shall take all necessary measures and notify the competent authority of the first Member State of the decisions taken and of the reasons for such decisions.

If the first Member State fears that such measures have not been taken or are inadequate, the two Member States shall together seek ways and means of remedying the situation, if necessary by means of an inspection visit of the establishment.

The Member States shall inform the Commission of disputes and of the solutions reached.

If the Member States are unable to reach agreement, one of them shall refer the matter within a reasonable period to the Commission, which shall instruct one or more experts to deliver an opinion.

Pending that opinion, the Member State of dispatch shall intensify checks on egg products coming from the establishment in question and, at the request of the Member State of destination, the Commission shall immediately instruct an expert to go to the consignor establishment in order to propose appropriate interim protective measures.

In the light of the opinion provided for in the fourth subparagraph, or the result of the check performed in accordance with Article 7 (1), Member States may be authorized, under the procedure laid down in Article 13, temporarily to deny access to their territory for egg products coming from that establishment.

Such authorization may be withdrawn under the procedure laid down in Article 13 on the basis of a further opinion delivered by one or more experts.

The experts shall be nationals of a Member State other than those involved in the dispute.

Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 14.

Article 10

The Annex to this Directive shall be amended by the Council acting by a qualified majority on a proposal from the Commission.

Article 11

1. Pending the application of the provisions of this Directive, national provisions governing imports of egg products from third countries shall continue to apply and must not be more favourable than those governing intra-Community trade.

2. On-the-spot inspections shall be carried out by experts from the Member States and the Commission. Member

States' experts instructed to carry out these inspections shall be appointed by the Commission on proposals from the Member States. Inspections shall be carried out on behalf of the Community, which shall bear the costs relating thereto.

3. A list of the establishments which meet the requirements set out in the Annex shall be drawn up in accordance with the procedure laid down in Article 14.

4. The health certificate accompanying the products on importation and the form and nature of the mark of wholesomeness applied to the products shall correspond to a model to be determined in accordance with the procedure laid down in Article 14.

Article 12

The Council, acting by a qualified majority on a proposal from the Commission, shall decide which additives contained in the list of additives authorized by the Community rules in force on additives which may be used in foodstuffs may be used for the egg products defined in Article 3 (a) and the detailed rules on such use.

Pending such decision, national rules governing such use shall continue to apply.

Article 13

1. Where the procedure laid down in this Article is to be applied, the matter shall be referred forthwith to the Standing Veterinary Committee set up by the Council Decision of 15 October 1968 (hereinafter referred to as 'the committee') by its chairman on his initiative or at the request of a Member State.

2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

3. The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

4. If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, within 15 days of the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission, save where the Council has decided against the said measures by a simple majority.

Article 14

1. Where the procedure laid down in this Article is to be applied, the chairman shall refer the matter without delay to the committee on his own initiative or at the request of a Member State.
2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member State within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.
3. The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.
4. If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, within three months of the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission, save where the Council has decided against the said measures by a simple majority.

Article 15

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1991. They shall inform the Commission thereof forthwith.

The Commission shall, no later than 31 December 1994, submit a report to the Council on the experience acquired on the subject, accompanied, where appropriate, by proposals aimed at adapting the Annex to this Directive taking special account of scientific and technological developments.

Article 16

This Directive is addressed to the Member States.

Done at Luxembourg, 20 June 1989.

For the Council
The President
C. ROMERO HERRERA

ANNEX

CHAPTER I

GENERAL CONDITIONS OF APPROVAL AND OPERATION

Establishments must possess at least:

1. in areas where eggs are stored and where egg products are manufactured or stored:
 - (a) waterproof flooring which is easy to clean and disinfect, rotproof and laid in such a way as to facilitate the draining of water; the water must be channelled towards drains fitted with gratings and traps to prevent odours;
 - (b) smooth, durable, impermeable walls, with a light-coloured, washable coating up to a height of at least two metres and up to at least storage height in chilling or refrigeration rooms and in stores. Wall to floor junctions must be rounded or similarly finished in such a way as to facilitate cleaning;
 - (c) doors in material that does not deteriorate and, if of wood, with a smooth and impermeable covering on both sides;
 - (d) ceilings which are easy to clean and which have been built and finished in such a way as to prevent the accumulation of dirt and the formation of mould, the possible peeling of paint-work and the condensation of water vapour;
 - (e) adequate ventilation and, if necessary, good steam extraction;
 - (f) adequate natural or artificial lighting;
 - (g) as near as possible to the work stations:
 - an adequate number of facilities for the cleaning and disinfecting of hands and the cleaning of equipment with hot water. Taps must not be operable by hand or the arms. For the cleaning of hands, these facilities must be provided with hot and cold running water or water premixed to a suitable temperature, cleaning and disinfecting products and hand towels which can be used once only,
 - facilities for the disinfecting of tools;
2. an appropriate number of changing rooms, with smooth, impermeable and washable walls and floors, wash basins and flush lavatories. The latter must not give directly on to the work area. Wash basins must have hot and cold running water or water premixed to a suitable temperature, materials for cleaning and disinfecting the hands, and hand towels which can be used once only. Wash basin taps must not be hand-operable. There must be a sufficient number of wash basin close to the lavatories;
3. a separate area and adequate facilities for cleaning and disinfecting fixed and mobile containers and tanks. However, this area and these facilities shall not be required if there are provisions for the cleaning and disinfecting of containers and tanks at other centres;
4. facilities for the supply of exclusively potable water within the meaning of Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption ⁽¹⁾;

However, facilities supplying non-potable water are authorized for steam-production, fire-fighting and the cooling of refrigeration equipment, provided that the pipes installed for this purpose preclude the use of such water for other purposes and present no risk of contamination to the egg products. The steam and water concerned may not come into contact with the egg products or be used for cleaning or disinfecting containers, plant or equipment which come into contact with the egg products. Pipes carrying non-potable water must be clearly distinguished from those carrying potable water;
5. appropriate equipment for protection against pests such as insects and rodents;
6. equipment, couplings and instruments or their surfaces which are intended to come into contact with egg products must be made of smooth material which is easy to wash, clean and disinfect, resists corrosion and does not transfer substances to the egg products in such quantities as to endanger human health, cause deterioration in the composition of the egg products or adversely affect their organoleptic characteristics.

⁽¹⁾ OJ No L 229, 30. 8. 1980, p. 11.

CHAPTER II

SPECIAL CONDITIONS FOR THE APPROVAL OF ESTABLISHMENTS

In addition to the general conditions laid down in Chapter I, establishments must have at least:

1. suitable rooms large enough for the separate storage of the eggs and the finished egg products, where necessary, with refrigeration equipment to keep the egg products at the appropriate temperatures; cold stores must be equipped with a thermometer or a remote recording thermometer;
2. where dirty eggs are used, facilities for washing and disinfecting the eggs; a list of products authorized for performing this disinfection shall be drawn up in accordance with the procedure laid down in Article 14;
3. (a) a special room with appropriate facilities for breaking eggs and collecting their contents and removing the parts of shell and membrane;
(b) a separate room for operations other than those referred to in (a).
Where egg products are pasteurized, pasteurization may be carried out in the room referred to in (a), when the establishment has a closed pasteurization system; in other cases pasteurization must be carried out in the room referred to in (b). In the latter case, every step must be taken to prevent the contamination of egg products after their pasteurization;
4. suitable facilities for in-plant conveying of egg contents;
5. in the cases provided for in this Directive, equipment approved by the competent authority for the treatment of egg products, fitted at least with:
 - (a) in the case of pasteurization:
 - automatic temperature control,
 - a recording thermometer,
 - an automatic safety device preventing insufficient heating;
 - (b) in the case of a continuous pasteurization system, the equipment must also be fitted with:
 - an adequate safety system preventing the mixture of pasteurized egg products with incompletely pasteurized egg products, and
 - an automatic safety recording device preventing the aforementioned mixture;
6. a room for the storage of other foodstuffs and additives;
7. where the products are packed in disposable containers, an appropriate and, if necessary, separate area for the storage of such containers and the raw materials intended for their manufacture;
8. facilities for the immediate removal and separate storage of empty shells, and of eggs and egg products which are unfit for human consumption;
9. suitable equipment for the hygienic packaging of egg products;
10. to carry out analyses and examinations in accordance with the requirements of this Directive on raw materials and egg products, an establishment must have an appropriate laboratory. If it does not, it must secure the services of a laboratory that fulfils those requirements. In the latter case it shall inform the competent authority accordingly;
11. where required, suitable equipment for the thawing of frozen egg products which must undergo treatment and further handling in an approved establishment;
12. a separate room for the storage of cleaning and disinfection products.

CHAPTER III

HYGIENE REQUIREMENTS RELATING TO THE PREMISES, EQUIPMENT AND STAFF OF ESTABLISHMENTS

The highest degree of cleanliness must be required of staff, premises and equipment:

1. staff who treat or handle eggs and egg products must, in particular, wear clean working clothes and headgear. They must wash and disinfect their hands several times in the course of each working day and on each resumption of work.

It must be forbidden to smoke, eat, spit or chew in areas where eggs and egg products are handled and stored;

2. no animals may enter the establishments. Any rodents, insects or other vermin found must be systematically destroyed;
3. premises, equipment and instruments used for working on egg products must be kept clean and in a good state of repair. Equipment and instruments must be carefully cleaned and disinfected several times if necessary during the working day, at the end of the day's work and before being re-used where they have been soiled. Closed pipe-line systems for conveying egg products must be provided with an appropriate cleaning system which ensures their cleaning and disinfection in all parts. After having been cleaned and disinfected, pipes must be rinsed out with potable water;
4. premises, instruments and equipment must not be used for purposes other than the processing of egg products except the processing of other foodstuffs either simultaneously or at different times after the authorization of the competent authority has been obtained, provided that all appropriate measures are taken to prevent contamination of or adverse changes in the products covered by this Directive;
5. potable water must be used for all purposes: however, non-potable water may be used in exceptional cases for steam production provided that the pipes installed for this purpose preclude the use of this water for other purposes and present no danger of contamination of eggs or egg products. In addition, the use of non-potable water may be authorized in exceptional cases for the cooling of refrigeration equipment. Non-potable water pipes must be clearly distinguished from pipes used for potable water;
6. detergents, disinfectants and similar substances must be used and stored in such a way that instruments, equipment and egg products are not adversely affected. Their use must be followed by thorough rinsing of such instruments and equipment with potable water;
7. persons who are possible sources of contamination must be prohibited from working with or handling eggs or egg products;
8. any person employed to work with or handle eggs or egg products must be required to produce a medical certificate to show that there is no reason why he or she should not engage in such work. The medical certificate must be renewed yearly unless another staff medical check-up scheme offering similar guarantees is recognized in accordance with the procedure laid down in Article 14.

CHAPTER IV

REQUIREMENTS CONCERNING EGGS INTENDED FOR THE MANUFACTURE OF EGG PRODUCTS

1. Eggs used for the manufacture of egg products must be put up in packaging which complies with Commission Regulation (EEC) No 95/69 of 17 January 1969 implementing Regulation (EEC) No 1619/68 on marketing standards for eggs ⁽¹⁾, as last amended by Regulation (EEC) No 3906/86 ⁽²⁾.
2. (a) For the manufacture of egg products, only non-incubated eggs which are fit for human consumption may be used; their shells must be fully developed or contain no breaks;
(b) by way of derogation from (a), cracked eggs may be used for the manufacture of egg products provided they are delivered directly from the packing centres and the farm of production to an approved establishment, where they shall be broken as quickly as possible.
3. Eggs and egg products which are unfit for human consumption must be removed and denatured in such a way that they cannot be re-used for human consumption. They must immediately be placed in the room provided for in point 8 of Chapter II.

CHAPTER V

SPECIAL HYGIENE REQUIREMENTS FOR THE MANUFACTURE OF EGG PRODUCTS

All operations must be carried out in such a way as to avoid all contamination during the production, handling and storage of egg products, and in particular;

⁽¹⁾ OJ No L 13, 18. 1. 1969, p. 13

⁽²⁾ OJ No L 364, 23. 12. 1986, p. 20.

1. eggs and egg products presented for subsequent treatment at an approved establishment must be stored immediately on arrival in the rooms provided for in Chapter II point 1 until they are processed. The temperature of these rooms must be such as to ensure that they are not contaminated. Trays of shell eggs must not be placed directly on the floor;
2. eggs must be unpacked, and, if necessary, washed and disinfected, in a room which is separate from the breaking room; packaging material must not be taken into the breaking room;
3. eggs must be broken in the room provided for in Chapter II, point 3 (a); cracked eggs as mentioned in Chapter IV, point 2 (b) must be processed without delay;
4. dirty eggs must be cleaned before being broken; this must be carried out in a room which is separate from the breaking room or from any room where exposed egg contents are handled. Cleaning procedures must be such as to prevent contamination or adulteration of the egg contents. Shells must be sufficiently dry at the time of breaking to prevent adulteration of the egg contents by the remains of the cleaning water;
5. eggs other than hen eggs or those of turkeys or guinea fowl must be handled and processed separately. All equipment must be cleaned and disinfected when processing of hen eggs and those of turkeys and guinea fowl is resumed;
6. breaking, whatever procedure is used, must be carried out in such a way as to avoid as far as possible contamination of the egg contents. To that end, the contents of eggs may not be obtained by the centrifugation or crushing of eggs, nor may centrifugation be used to obtain the remains of egg whites from empty shells. The remains of shells or membranes must be kept out of the egg product as far as possible and must not exceed the quantity specified in point 2 (c) of Chapter VI;
7. after breaking, each particle of egg product must undergo treatment as quickly as possible; heat treatment consists of treating the egg product at an appropriate temperature for an appropriate period in order to eliminate any pathogenic organisms present. During heat treatment, temperatures must be registered continuously. The records of each batch having undergone treatment must be kept at the disposal of the competent authority for two years. A batch which has been insufficiently treated may immediately undergo treatment again in the same establishment provided that the new treatment renders it fit for human consumption; should it be found to be unfit for human consumption, it must be denatured in accordance with point 3 of Chapter IV;
8. if treatment is not carried out immediately after breaking, the egg contents must be stored under satisfactory hygiene conditions, either frozen or at a temperature of not more than 4 °C. The storage period at 4 °C must not exceed 48 hours, except in the case of ingredients to be desugared;
9. where certain production practices so require, the Commission shall determine, pursuant to Article 14 and by 31 December 1991, the existence of special cases and shall lay down specific conditions according to which egg products coming from an approved establishment may be treated in another approved establishment, on the understanding that the following general conditions are complied with:
 - (a) as soon as the egg products have been obtained, they must be either deep frozen or chilled to a temperature of not more than 4 °C in the latter case, they must be treated at their place of destination during the 48 hours following the day of the breaking of the eggs from which they were obtained, except in the case of ingredients to be desugared;
 - (b) they must be packaged, checked, transported and handled in accordance with the requirements of the Directive;
 - (c) they must be labelled in accordance with the requirements laid down in Chapter XI. The nature of the goods must be indicated as follows: 'non-pasteurized egg products — to be treated at place of destination — date and time of breaking —';
10. further processing operations after treatment must ensure that there is no recontamination of the egg product; liquid products or concentrated products which have not been stabilized so as to keep at room temperature must be either dried or cooled to a temperature not exceeding 4 °C immediately, or after undergoing a fermentation process; products for freezing must be frozen immediately after treatment;
11. egg products must be kept at the temperatures required by this Directive until they are used for the manufacture of other foodstuffs;
12. in approved establishments, the preparation of egg products from raw materials which are not suitable for the manufacture of foodstuffs is prohibited, even for non-food purposes.

CHAPTER VI

ANALYTICAL SPECIFICATIONS

1. Microbiological criteria

All batches of egg products must, after treatment, undergo microbiological checks by sampling in treatment establishments in order to guarantee that they meet the following criteria:

- (a) salmonellae: absence in 25 g or ml of egg product;
 - (b) other criteria:
 - mesophilic aerobic bacteria: $M = 10^5$ in 1 g or 1 ml,
 - enterobacteriaceae: $M = 10^2$ in 1 g or 1 ml,
 - staphylococci: absence in 1 g of egg product,
- M = maximum value for the number of bacteria; the result is considered unsatisfactory if the number of bacteria in one or more sample units is M or more.

2. Other criteria

All batches of egg products must undergo checks by sampling in treatment establishments in order to guarantee that they meet the following criteria:

- (a) the concentration of 3 OH-butyric acid must not exceed 10 mg/kg in the dry matter of the unmodified egg product;
- (b) in order to ensure the hygienic handling of eggs and egg products before treatment, the following standards shall apply:
 - the lactic acid content must not exceed 1 000 mg/kg of egg product dry matter (applicable only to the untreated product),
 - the succinic acid content must not exceed 25 mg/kg of egg product dry matter.In the case of fermented products, however, these values are those recorded before the fermentation process;
- (c) the quantity of eggshell remains, egg membrane and any other particles in the egg product must not exceed 100 mg/kg of egg product;
- (d) the residual quantities of the substances mentioned in Article 5 (1) may not exceed the tolerances mentioned in Article 5 (4);

3. before 31 December 1991, the Commission will, in accordance with the procedure laid down in Article 14, determine:

- the analysis and test methods,
- the sampling plans,
- the number of samples to be taken,
- the analytical tolerances.

Pending those decisions the Member States will recognize as reference methods all analysis and test methods recognized internationally.

CHAPTER VII

HEALTH CONTROL AND SUPERVISION OF PRODUCTION

1. Establishments will be subject to supervision by the competent authority.

Supervision by the competent authority will include any supervision measures considered necessary to ensure that manufacturers of egg products meet the requirements of this Directive, and in particular:

- checks on the origin of eggs and the destination of egg products and of the records referred to in the fourth indent of Article 4,

- inspection of eggs intended for the manufacture of egg products,
 - inspection of egg products on dispatch from the establishment,
 - verification of the cleanliness of the premises, facilities and instruments and of staff hygiene,
 - taking of any samples required for laboratory tests to ensure that eggs and egg products comply with the requirements of this Directive; the results of such tests must be entered in a register and notified to the egg products manufacturer.
2. At the request of the competent authority, manufacturers of egg products must increase the frequency of the laboratory tests referred to in the first indent of Article 4 where this is considered necessary to ensure hygienic production of the egg products.

CHAPTER VIII

PACKAGING OF EGG PRODUCTS

1. Egg products must be packaged in satisfactory hygiene conditions so as to ensure that they are not contaminated.

Containers must comply with all rules of hygiene, including the following:

- they must not be such as to impair the organoleptic characteristics of the egg products,
 - they must not be capable of transmitting to the egg products substances harmful to human health,
 - they must be strong enough to protect the egg products adequately.
2. The room in which containers are stored must be dust and vermin free; materials for making disposable containers must not be stored on the floor.
3. Containers used for egg products must be clean prior to being filled; re-usable containers must be cleaned, disinfected and rinsed before being filled.
4. Containers must be brought into the work room in a hygienic manner and must be used without undue delay.
5. Immediately after packaging, the containers must be closed and placed in the storage rooms referred to in Chapter II, point 1.
6. Containers intended for egg products may be used for other foodstuffs if required, provided they are cleaned and disinfected so as not to contaminate the egg products.
7. Containers which are to be used for the transport of egg products in bulk must comply with all the rules of hygiene, and in particular the following:
- their inside surfaces and any other part which may come into contact with the egg product must be made of a smooth material which is easy to wash, clean and disinfect, resists corrosion and does not transfer substances to the egg product in such quantities as to endanger human health, cause deterioration in the composition of the egg product or adversely affect its organoleptic characteristics,
 - they must be designed so that the egg product can be removed completely; if they are fitted with taps, these must be easy to remove, dismantle, wash, clean and disinfect,
 - they must be washed, cleaned, disinfected and rinsed immediately after each use and, if necessary, before re-use,
 - they must be appropriately sealed after being filled and remain sealed during transportation until they are used,
 - they must be reserved for the transport of egg products.

However, without prejudice to the provisions of this Chapter, for the first time and in this case by 31 December 1990, the Commission, according to the procedure provided for in Article 14 and to the extent that the egg products and the other foodstuffs concerned suffer no adverse effects as a result, shall fix, if necessary, the specific conditions with which such containers must comply in order to be used to transport other foodstuffs, in particular, conditions relating to:

- the washing, cleaning and disinfection of containers before they are re-used,
- transport conditions,
- the length of time during which they may be used.

Until the decisions provided for in the second subparagraph are brought into force and not later than 31 December 1991:

- the national rules authorizing the use of containers for transport on the national territory of foodstuffs other than egg products as well as bilateral agreements concluded by the Member States in this respect shall remain applicable, whilst complying with the general provisions of the Treaty,
- Member States, whose national rules make provision for such an authorization, may neither restrict nor prohibit the entry into their territory of transport from other Member States which provide for the same authorization,
- Member States which forbid the transport on their territory of other foodstuffs in containers designed for the transport of egg products may make the transport of egg products coming from other Member States to the same requirements.

CHAPTER IX

STORAGE

1. Egg products must be stored in the storage rooms referred to in point 1 of Chapter II.
2. Egg products for which certain storage temperatures are required must be maintained at those temperatures. The storage temperatures must be recorded continuously, the cooling rate must be such that the product reaches the required temperatures as quickly as possible and the containers must be stored in such a way that air can freely circulate round them.
3. The temperature in storage must not exceed the following values:

— deep frozen products:	-18° C,
— frozen products:	-12° C,
— chilled products:	+4° C,
— dehydrated products (excluding egg whites):	+15° C.

CHAPTER X

TRANSPORT

1. Vehicles and containers for the transport of egg products must be designed and equipped in such a way that the temperatures required by this Directive can be maintained continuously throughout the period of transport.
2. Egg products must be dispatched in such a way that they are adequately protected during transportation from anything which may be detrimental to them.
3. The temperatures prescribed in point 3 of Chapter IX, must be maintained during transport.

CHAPTER XI

MARKING OF EGG PRODUCTS

1. Without prejudice to the provisions of Directive 79/112/EEC, every consignment of egg products that leaves an establishment must have a label bearing the following particulars:
 - (i) either:
 - on the upper part, the initial letter or letters of the consigning country in capitals, i.e. B/D/DK/EL/ESP/F/IRL/I/L/NL/P/UK, followed by the approval number of the establishment,
 - on the lower part, one of the following sets of initials: CEE — EEC — EEG — EOK — EWG — EØF;
 - (ii) or:
 - on the upper part, the name of the consigning country in capitals,
 - in the centre, the approval number of the establishment,
 - on the lower part, one of the following sets of initials: CEE — EEC — EEG — EOK — EWG — EØF;
 - (iii) the temperature at which the egg products must be maintained and the period during which their conservation may thus be assured.

The label must be legible, indelible and in easily decipherable characters.
2. The transport documents must in particular include:
 - (a) the nature of the products with an indication of the species of origin;
 - (b) the batch numbers;
 - (c) the place of destination and the name and address of the first addressee.
3. This information, and that contained in the mark of wholesomeness, must be given in the official language or languages of the country of destination.

COUNCIL DIRECTIVE

of 21 June 1989

amending Directive 74/561/EEC on admission to the occupation of road haulage operator in national and international transport operations, Directive 74/562/EEC on admission to the occupation of road passenger transport operator in national and international transport operations and Directive 77/796/EEC aiming at the mutual recognition of diplomas, certificates and other evidence of formal qualifications for goods haulage operators and road passenger transport operators, including measures intended to encourage these operators effectively to exercise their right to freedom of establishment

(89/438/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the express aim of the common rules introduced by Directives 74/561/EEC ⁽⁴⁾, as last amended by Directive 85/578/EEC ⁽⁵⁾, and by Directive 74/562/EEC ⁽⁶⁾, as last amended by Directive 85/579/EEC ⁽⁷⁾, is to help rationalize the transport market and improve the quality of the services provided by operators and to ensure that the right to freedom of establishment is effectively exercised;

Whereas these Directives lay down three conditions for admission to the occupation of transport operator, namely good repute, appropriate financial standing and professional competence; whereas, although they lay down a number of rules governing professional competence, they do not define the content of the first two conditions, leaving it to the Member States to adopt appropriate measures at national level; whereas they do, however, recommend coordination of such measures at a later date;

Whereas Council Regulation (EEC) No 3164/76 of 16 December 1976 on access to the market in the international carriage of goods by road ⁽⁸⁾, as last amended by Regulation

(EEC) No 1841/88 ⁽⁹⁾, provides that from 1 January 1993 access to the market of transfrontier transport operations will be governed by a system of Community licences issued on the basis of qualitative criteria;

Whereas, as regards the good-repute requirement, it is necessary, in order effectively to reorganize the market, to make admission to the pursuit of the occupation of transport operator uniformly conditional on the applicant having no convictions for serious criminal offences, including offences of a commercial nature, not having been declared unfit to pursue the occupation and on compliance with the regulations applicable to the occupation of transport operator;

Whereas, as regards the requirement of appropriate financial standing, it is necessary, in particular in order to ensure the equal treatment of undertakings in the various Member States, to lay down certain criteria which transport operators must satisfy, and which are applicable to transport operators seeking authorization for admission to the occupation as from 1 January 1990;

Whereas, as regards the requirement of professional competence, it is advisable to stipulate that the applicant transport operator demonstrate such competence by passing a written examination but that Member States may exempt the applicant from such an examination if he provides proof of sufficient practical experience; whereas the list of subjects of which knowledge is required in order to demonstrate the transport operator's professional competence should be supplemented;

Whereas provision should be made for a system of mutual assistance between Member States for the purpose of applying this Directive;

Whereas, in order to take account of the amendments to Directives 74/561/EEC and 74/562/EEC, it is necessary to amend Directive 77/796/EEC ⁽¹⁰⁾, as last amended by Directive 80/1180/EEC ⁽¹¹⁾;

Whereas the Commission should submit, within an appropriate time limit, a well-founded report on the implementation of this Directive,

⁽¹⁾ OJ No C 102, 16. 4. 1988, p. 5.

⁽²⁾ OJ No C 12, 16. 1. 1989, p. 39.

⁽³⁾ OJ No C 318, 12. 12. 1988, p. 11.

⁽⁴⁾ OJ No L 308, 19. 11. 1974, p. 18.

⁽⁵⁾ OJ No L 372, 31. 12. 1985, p. 34.

⁽⁶⁾ OJ No L 308, 19. 11. 1974, p. 23.

⁽⁷⁾ OJ No L 372, 31. 12. 1985, p. 35.

⁽⁸⁾ OJ No L 357, 29. 12. 1976, p. 1.

⁽⁹⁾ OJ No L 163, 30. 6. 1988, p. 1.

⁽¹⁰⁾ OJ No L 334, 24. 12. 1977, p. 37.

⁽¹¹⁾ OJ No L 350, 23. 12. 1980, p. 43.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 74/561/EEC is hereby amended as follows:

1. Article 1 (2) is replaced by the following:

- '2. For the purposes of this Directive,
- "the occupation of road haulage operator" shall mean the activity of any undertaking transporting goods for hire or reward by means of either a self-contained motor vehicle or a combination of coupled vehicles;
 - "undertaking" shall mean any natural person, any legal person, whether profit-making or not, any association or group of persons without legal personality, whether profit-making or not, or any official body, whether having its own legal personality or being dependent upon an authority having such personality.'

2. In Article 2:

- in paragraphs 1 and 2, 'natural persons or undertakings' is replaced by 'undertakings';
- paragraph 2 is supplemented by the following subparagraph:
'In the event of unforeseen circumstances, Member States may grant a temporary exemption pending completion of the consultations with the Commission.'

3. In Article 3 (1):

- in the first subparagraph, 'natural persons or undertakings' is replaced by 'undertakings';
- the third subparagraph is replaced by the following:
'Where the applicant is not a natural person:
 - requirement (a) must be satisfied by the person or persons who will continuously and effectively manage the transport operations of the undertaking. Member States may require that other persons in the undertaking also satisfy this requirement,
 - requirement (c) must be satisfied by the person or persons referred to in the first indent.'

4. Article 3 (2) is replaced by the following:

- '2. Member States shall determine the conditions which must be fulfilled by undertakings established within their territory in order to satisfy the good-repute requirement.

They shall provide that this requirement is not satisfied, or is no longer satisfied, if the natural person or persons who are deemed to satisfy this condition under Article 3 (1):

- have been convicted of serious criminal offences, including offences of a commercial nature,
- have been declared unfit to pursue the occupation of transport operator under any regulations in force,
- have been convicted of serious, repeated offences against the regulations in force concerning:
 - the pay and employment conditions in the profession, or
 - road haulage, in particular the rules relating to drivers' driving and rest periods, the weights and dimensions of commercial vehicles, road safety and vehicle safety.

In the cases referred to in the above three indents, the good-repute requirement shall continue to be unsatisfied until rehabilitation or any other measures having an equivalent effect has taken place, pursuant to the existing relevant national provisions.'

5. Article 3 (3) is replaced by the following:

- '3. (a) Appropriate financial standing shall consist in having available sufficient resources to ensure proper launching and proper administration of the undertaking.
- (b) For the purposes of assessing financial standing, the competent authority shall have regard to: annual accounts of the undertaking, if any; funds available, including cash at bank, overdraft and loan facilities; any assets, including property which are available to provide security for the undertaking; costs, including purchase cost or initial payment for vehicles, premises, plant and equipment, and working capital.
- (c) The undertaking must have available capital and reserves of at least ECU 3 000 per vehicle or ECU 150 per tonne of the maximum authorized weight of the vehicles used by the undertaking, whichever is the lower.

Member States may derogate from the first subparagraph in the case of transport undertakings which pursue their activities exclusively on the national market.

- (d) For the purposes of points (a), (b) and (c), the competent authority may accept as evidence of

financial standing confirmation or assurance given by a bank or other suitably qualified establishment. Such confirmation or assurance may be given in the form of a bank guarantee or by any other similar means.

- (e) Points (b), (c) and (d) shall apply only to undertakings authorized in a Member State, as from 1 January 1990 under national regulations, to engage in the activities of a road haulage operator.'

6. Article 3 (4) is replaced by the following:

'4. The condition relating to professional competence shall consist in the possession of skills demonstrated by passing a written examination, which may take the form of a multiple-choice examination, organized by the authority or body designated for this purpose by each Member State in the subjects listed in the Annex.

Member States may exempt from examination applicant transport operators who provide proof of at least five years' practical experience in a transport undertaking at management level.

Member States may exempt the holders of certain advanced diplomas or technical diplomas which provide proof of a sound knowledge of the subjects listed in the Annex to be defined by them from sitting an examination in the subjects covered by the diplomas.

A certificate issued by the authority or body referred to in the first subparagraph must be produced as proof of professional competence.'

7. In Article 5 (1) 'natural persons and undertakings' is replaced by 'undertakings'.
8. In Article 6 (3) 'natural persons or undertakings' is replaced by 'undertakings'.
9. The following Article is inserted:

'Article 6a

1. Where serious offences or minor, repeated offences against the rules governing road haulage have been committed by non-resident transport operators and might lead to withdrawal of the authorization to practise as a road haulage operator, the Member States shall provide the Member State in which such a transport operator is established with all the information in their possession concerning those offences and the penalties they have imposed.

2. If a Member State withdraws the authorization to practise as a road haulage operator in international

transport operations, it shall inform the Commission, which shall pass the necessary information to the Member States concerned.

3. Member States shall afford each other mutual assistance for the purpose of applying this Directive.'
10. In paragraph A of the Annex:
- the following indents are added at the end of point 2:
 - '— managements techniques for a road haulage undertaking,
 - marketing'
 - the following indents are added at the end of point 4:
 - '— carriage of dangerous goods,
 - carriage of foodstuffs,
 - the relevant environmental protection concepts with reference to the use and maintenance of motor vehicles.'

Article 2

Directive 74/562/EEC is hereby amended as follows:

1. In Article 1:

- paragraph 2 is replaced by the following:
 - '2. For the purposes of this Directive:
 - "the occupation of road passenger transport operator" shall mean the activity of any undertaking operating, by means of motor vehicles so constructed and equipped as to be suitable for carrying more than nine persons — including the driver — and intended for that purpose, passenger transport services for the public or for specific categories of users against payment by the person transported or by the transport organizer.
 - "undertaking" shall mean any natural person, any legal person, whether profit-making or not, any association or group of persons without legal personality, whether profit-making or not, or any official body, whether having its own legal personality or being dependent upon an authority having such personality.'
 - in paragraph 3, 'natural persons or undertakings' is replaced by 'undertakings'.

2. In Article 2 (1):

- in the first subparagraph, 'natural persons or undertakings' is replaced by 'undertakings',
- the third subparagraph is replaced by the following:
 - 'Where the applicant is not a natural person:

- requirement (a) must be satisfied by the person or persons who will continuously and effectively manage the transport operations of the undertaking. Member States may require that other persons in the undertaking also satisfy this requirement,
- requirement (c) must be satisfied by the person or persons referred to in the first indent.'

3. Article 2 (2) is replaced by the following:

'2. Member States shall determine the conditions which must be fulfilled by undertakings established within their territory in order to satisfy the good-repute requirement.

They shall provide that this requirement is not satisfied, or is no longer satisfied, if the natural person or persons who are deemed to satisfy this condition under Article 2 (1):

- have been convicted of serious criminal offences, including offences of a commercial nature,
- have been declared unfit to pursue the occupation of transport operator under any regulations in force,
- have been convicted of serious, repeated offences against the regulation in force concerning:
 - the pay and employment conditions in the profession, or
 - road haulage, in particular the rules relating to drivers' driving and rest periods, the weights and dimensions of commercial vehicles, road safety and vehicle safety.

In the cases referred to in the above three indents, the good-repute requirement shall continue to be unsatisfied until rehabilitation or other measure having an equivalent effect has taken place, pursuant to the existing relevant national provisions.'

4. Article 2 (3) is replaced by the following:

- '3. (a) Appropriate financial standing shall consist in having available sufficient resources to ensure proper launching and proper administration of the undertaking.
- (b) For the purposes of assessing financial standing, the competent authority shall have regard to: annual accounts of the undertaking, if any; funds available, including cash at bank, overdraft and loan facilities; any assets, including property, which are available to provide security for the undertaking; costs, including purchase cost or initial payment

for vehicles, premises, plant and equipment, and working capital.

- (c) The undertaking must have available capital and reserves of at least ECU 3 000 per vehicle or ECU 150 per seat of the vehicles used by it, whichever is the lower.

Member States may derogate from the first subparagraph in the case of transport undertakings which pursue their activities exclusively on the national market.

- (d) For the purposes of points (a), (b) and (c), the competent authority may accept as evidence of financial standing confirmation or assurance given by a bank or other suitably qualified establishment. Such confirmation or assurance may be given in the form of a bank guarantee or by any other similar means.

- (e) Points (b), (c) and (d) shall apply only to undertakings authorized as from 1 January 1990 in a Member State under national regulations to engage in the activities of a road passenger transport operator.'

5. Article 2 (4) is replaced by the following:

'4. The condition relating to professional competence shall consist in the possession of skills demonstrated by passing a written examination which may take the form of a multiple-choice examination organized by the authority or body designated for this purpose for each Member State in the subjects listed in the Annex.

Member States may exempt from examination applicant transport operators who provide proof of at least five years' practical experience in a transport undertaking at management level.

Member States may exempt the holders of certain advanced diplomas or technical diplomas which provide proof of a sound knowledge of the subjects listed in the Annex to be defined by them from sitting an examination in the subjects covered by the diplomas.

A certificate issued by the authority or body referred to in the first subparagraph must be produced as proof of professional competence.'

6. In Article 4 (1), 'natural persons and undertakings' is replaced by 'undertakings'.

7. In Article 5 (3), 'natural persons or undertakings' is replaced by 'undertakings'.

8. The following Article is inserted:

Article 5a

1. Where serious offences or minor, repeated offences against the rules governing transport have been committed by non-resident transport operators and might lead to withdrawal of the authorization to practise as a passenger transport operator, the Member States shall provide the Member State in which such a transport operator is established with all the information in their possession concerning those offences and the penalties they have imposed.

2. If a Member State withdraws the authorization to practise as a passenger transport operator in international transport operations, it shall inform the Commission, which shall pass the necessary information to the Member States concerned.

3. Member States shall afford each other mutual assistance for the purpose of applying this Directive.'

9. In paragraph A of the Annex,

— the following indents are added at the end of point 2:

- management techniques for a road transport undertaking,
- marketing.'

— the following indent is added at the end of point 4:

- the relevant environmental protection concepts with reference to the use and maintenance of motor vehicles.'

Article 3

Article 5 (1) of Directive 77/796/EEC is replaced by the following:

'1. As from 1 January 1990 Member States shall recognize as sufficient proof of professional competence certificates as referred to in the second subparagraph of Article 3 (4) of Directive 74/561/EEC and in the second

subparagraph of Article 2 (4) of Directive 74/562/EEC which are issued by another Member State.'

Article 4

The certificates issued to transport operators before 1 January 1990 as proof of their professional competence pursuant to the Directives 74/561/EEC and 74/562/EEC in force until that date shall be deemed equivalent to the certificates issued pursuant to the provisions amended by this Directive.

Article 5

1. Member States shall take the measures necessary to implement the provisions amended by this Directive after consulting the Commission. These provisions shall apply from 1 January 1990, without prejudice to Article 5 of Directive 74/561/EEC and Article 4 of Directive 74/562/EEC.

2. Member States shall forward to the Commission the text of the provisions of national law which they adopt in the field covered by this Directive.

3. The Commission shall, before 1 January 1992, submit to the Council a well-founded report on the implementation of this Directive.

Article 6

This Directive is addressed to the Member States.

Done at Luxembourg, 21 June 1989.

For the Council
The President
 C. ARANZADI

COUNCIL DIRECTIVE

of 26 June 1989

amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products

(89/439/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas by Directive 77/93/EEC ⁽³⁾, as last amended by Directive 89/359/EEC ⁽⁴⁾, the Council laid down protective measures against the introduction into the Member States of organisms harmful to plants or plant products; whereas the protection of plants against such organisms is absolutely necessary to increase agricultural productivity, which is one of the objectives of the common agricultural policy;

Whereas the plant health laws applicable to the French overseas departments have not been harmonized in accordance with Directive 77/93/EEC; whereas, given the importance of their trade in plant and plant products with the remainder of the Community, it is now desirable to apply the provisions of that Directive to them; whereas in view of the special nature of the agricultural production of the French overseas departments it is appropriate to provide for additional protective measures justified on grounds of the protection of health and life of plants therein; whereas the provisions of Directive 77/93/EEC should also be extended to protective measures against the introduction of harmful organisms into the French overseas departments from other parts of France;

Whereas it has become necessary to clarify the requirement in Article 9 (1) of Directive 77/93/EEC that the official phytosanitary certificate required under Article 7 of the Directive must be issued in the country of origin of the plants, plant products or other objects concerned; whereas it appears appropriate to define the exceptions to this requirement in a more general manner so that Article 9 (1) need to be amended whenever a relevant amendment is made by the Commission to Annex IV;...

Whereas it is appropriate to provide in certain cases that the official inspection of plants, plant products and other objects coming from third countries, provided for in Article 12 (1) of the said Directive, should be carried out by the Commission in the third country of origin;

Whereas it has become necessary to improve the functioning of the safeguard clause provided for in Article 15 of that Directive with a view to allowing more rapid, more comprehensive and more effective Community action in cases where that clause is used; whereas the Commission should have broader powers in connection with the adoption of safeguard measures by Member States;

Whereas the measures taken with a view to the progressive reduction of checks by Member States of destination will necessitate a strengthening of the checks carried out by consignor Member States; whereas it therefore appears necessary to reinforce Community plant health régime, with a view to improving the productivity of agriculture and achieving the single market by the end of 1992, but in particular with a view to increasing confidence in all plant health checks carried out on plant products intended for marketing within the Community;

Whereas these reinforced Community inspections must be made by experts employed by the Commission, and also by experts employed by Member States, whose services are made available to the Commission;

Whereas the role of these experts should be defined in connection with the activities required under the Community plant health régime,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 77/93/EEC is hereby amended as follows:

1. Article 1 is amended as follows:

- (a) in paragraph 2, 'to the French overseas departments, nor' is deleted;
- (b) the following paragraphs are added:

'3. This Directive shall also concern protective measures against the introduction of harmful organisms into the French overseas departments from other parts of France and, conversely, into other parts of France from the French overseas departments.

4. Without prejudice to the conditions to be established for the protection of the plant health situation existing in certain regions in the

(1) OJ No C 117, 4. 5. 1988, p. 11.

(2) OJ No C 187, 18. 7. 1988, p. 213.

(3) OJ No L 26, 31. 1. 1977, p. 20.

(4) OJ No L 153, 6. 6. 1989, p. 28.

Community, taking into account the differences in agricultural and ecological conditions, protective measures which are justified on grounds of the protection of health and life of plants in the French overseas departments and which are additional to those laid down in this Directive may be determined in accordance with the procedure laid down in Article 16a.'

2. Article 9 (1) is replaced by the following:

'1. In the case of plants, plant products or other objects to which special requirements laid down in Annex IV, Part A apply, the official phytosanitary certificate required pursuant to Article 7 shall have been issued in the country in which the plant, plant products and other objects originate, save: —

— in the case of wood, if under the special requirements laid down in Annex IV, Part A, it is sufficient that it is stripped of its bark,

— in other cases, to the extent that the special requirements laid down in Annex IV Part A can be fulfilled also at places other than that of origin.'

3. In Article 11 (1), first sentence, 'at the time of their introduction' is replaced by 'in the event of their introduction'.

4. In Article 11 (1), second sentence, the text under (b) is deleted.

5. Article 11 (4) is replaced by the following:

'4. If it is ascertained that part of a consignment of plants, plant products or other objects is contaminated by harmful organisms listed in Annexes I and II, the introduction of the other part shall not be prohibited provided that it is not suspected of being contaminated and provided that there appears to be no possibility of harmful organisms spreading.'

6. The following paragraph shall be added to Article 12:

'5. It may be agreed, in technical arrangements made between the Commission and the competent bodies in certain third countries and approved in accordance with the procedure laid down in Article 16a that activities related to the inspections referred to in paragraph 1 (a) may also be carried out under the authority of the Commission and in accordance with the relevant provisions of Article 19a in the third country concerned, in cooperation with the official plant protection organization of that country.'

7. In Article 14 (2), second sentence, the following is inserted after 'after adoption of the said provisions':

'and, where appropriate, following investigations carried out under the authority of the Commission and in accordance with the relevant provisions of Article 19a in the country of origin of the plants or plant products concerned.'

8. In Article 14 (3), the following subparagraph is added:

'The risk shall be assessed on the basis of available scientific and technical information; where such

information is insufficient, it shall be supplemented by additional enquiries or, where appropriate, by investigations carried out under the authority of the Commission and in accordance with the relevant provisions of Article 19a in the country of origin of the plants, plant products or other objects concerned.'

9. Article 15 (2) is replaced by the following:

'2. In cases referred to in paragraph 1 the Commission shall examine the situation as soon as possible within the Standing Committee on Plant Health. On-site investigations may be made under the authority of the Commission and in accordance with the relevant provisions of Article 19a. The necessary measures may be adopted, including those whereby it may be decided whether measures taken by the Member States should be rescinded or amended, under the procedure laid down in Article 17. The Commission shall follow the development of the situation and, under the same procedure, shall amend or repeal, as that development requires, the said measures. Until a measure has been adopted under the aforesaid procedure, the Member State may maintain the measures that it has employed.'

10. The following Article is inserted:

'Article 16a

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred without delay to the Standing Committee on Plant Health (hereinafter referred to as "the committee"), by its chairman, either on his own initiative or at the request of a Member State.

2. Within the committee, the votes of the Member States shall be weighted as provided for in Article 148 (2) of the Treaty. The chairman shall not vote.

3. The representative of the Commission shall submit a draft of the measures to be taken. The committee shall deliver its opinion on these measures within a time limit set by the chairman having regard to the urgency of the matters to be examined. Opinions shall be delivered by a majority of 54 votes.

4. Where the measures are in accordance with the opinion of the committee, the Commission shall adopt them and shall implement them forthwith. Where the measures are not in accordance with the opinion of the committee or if no opinion is delivered, the Commission shall immediately submit to the Council a proposal on the measures to be taken. The Council shall adopt the measures by a qualified majority.

If, within three months following the date on which the matter was referred to it, the Council has not adopted measures, the Commission shall adopt the proposed measures.'

11. The following Article is inserted:

Article 19a

1. For the purpose of ensuring the correct and uniform application of this Directive, and without prejudice to checks carried out under the authority of the Member States, the Commission may organize checks to be carried out by experts under its authority in respect of the tasks listed in paragraph 3, on- or off-site, in accordance with the provisions of this Article.

Where such checks are carried out in a Member State, this must be done in cooperation with the official plant protection organization of that Member State as specified in paragraphs 4 and 5 and in accordance with the procedures set out in paragraph 7.

2. The experts referred to in paragraph 1 may be:

- employed by the Commission,
- employed by Member States, and put at the disposal of the Commission on a temporary or *ad hoc* basis.

They shall have acquired, at least in one Member State, the qualifications required for persons in charge of carrying out and monitoring official plant health inspections.

3. The checks referred to in paragraph 1 may be carried out in respect of the following tasks:

- monitoring examinations pursuant to Article 6,
- monitoring or, within the framework of the provisions laid down in Article 5 (c), carrying out inspections pursuant to Article 12 (1),
- carrying out the activities specified in the technical arrangements referred to in Article 12 (5),
- making the investigations referred to in Articles 14 (2) and (3) and 15 (2),
- assisting the Commission in the matters referred to in paragraph 6,
- carrying out any other duty assigned to the experts by the Council, acting by a qualified majority on a proposal from the Commission.

4. For the purpose of the tasks listed in paragraph 3, the experts referred to in paragraph 1 may:

- visit nurseries, farms and other places where plants, plant products or other objects are or were grown, produced, processed or stored,
- visit places where examinations pursuant to Article 6 or inspections pursuant to Article 12 are carried out,

— consult officials of the official plant protection organizations of the Member States,

— accompany the Member States' national inspectors when they carry out activities for the purposes of applying this Directive.

5. (a) Under the cooperation mentioned in paragraph 1, second sentence, the official plant protection organization of that Member State shall be given sufficient advance notice of the task to permit the necessary arrangements to be made.

Member States shall take all reasonable steps to ensure that the objectives and effectiveness of inspections are not jeopardized. They shall ensure that the experts may carry out their tasks without hindrance, and shall take all reasonable steps to provide them, on their request, with the available necessary facilities, including laboratory equipment and laboratory staff. The Commission shall ensure refunding of expenses resulting from such requests, within the limits of appropriations available for that purpose in the Community budget.

The experts shall, wherever national legislation so requires, be duly mandated by the official plant protection organization of the Member State concerned and observe the rules and practices imposed on that Member State's officials.

(b) Where the task consists of monitoring examinations (paragraph 3, first indent), monitoring inspections (paragraph 3, second indent, first possibility) or of making investigations (paragraph 3, fourth indent), no decision may be taken on-site. The experts shall report to the Commission on their activities and their findings.

(c) Where the task consists of carrying out inspections pursuant to Article 12 (1) (paragraph 3, second indent, second possibility), those inspections shall be integrated in an established inspection programme and the rules of procedure established by the Member State concerned shall be complied with; however, in the case of a joint inspection, the Member State concerned will only allow the introduction of a consignment into the Community if its plant protection organization and the Commission are in agreement. In accordance with the procedure laid down in Article 16a, this condition may be extended to other irrevocable requirements applied to consignments before introduction into the Community if experience shows such extension to be necessary. Should the Community expert and the national

inspector fail to agree, the Member State concerned shall take any necessary temporary measures, pending a definitive decision.

- (d) In all cases national provisions in respect of criminal proceedings and administrative penalties shall apply according to the normal procedures. Where the experts identify a suspected infringement of the provisions of this Directive, this shall be notified to the competent authorities of the Member State concerned.

6. The Commission shall:

- establish a network for the notification of new occurrences of harmful organisms,
- make recommendations for drawing up guidelines for the experts and for national inspectors in carrying out their activities.

To assist the Commission in this latter task, Member States shall notify the Commission of the current national inspection procedures in the plant health field.

7. The Commission shall adopt, under the procedure laid down in Article 16a, detailed rules for the application of this Article, including those applicable to the cooperation mentioned in paragraph 1, second subparagraph.

8. The Commission shall report to the Council, before 31 December 1994, on the

experience gained from the implementation of the provisions of this Article. The Council, acting by a qualified majority on a proposal from the Commission, shall take the necessary measures to amend these provisions, if appropriate, in the light of this experience.'

Article 2

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive by 1 January 1990.

2. Member States shall immediately communicate to the Commission all provisions of national law which they adopt in the field governed by this Directive. The Commission shall inform the other Member States thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 26 June 1989.

For the Council
The President
C. ROMERO HERRERA