

Official Journal

of the European Communities

ISSN 0378 - 6978

L 405

Volume 35

31 December 1992

Legislation

English edition

Contents

I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 3950/92, of 28 December 1992, establishing an additional levy in the milk and milk products sector 1
- ★ Council Regulation (EEC) No 395/92, of 29 December 1992, on the arrangements for imports of certain textile products originating in Taiwan 6
- ★ Council Regulation (EEC) No 3952/92, of 30 December 1992, amending Regulation (EEC) No 594/91 in order to speed up the phasing-out of substances that deplete the ozone layer 41

II *Acts whose publication is not obligatory*

Council

92/606/CEE:

- ★ Council Decision, of 30 December 1992, approving the conclusion of the Agreement in the form of an Exchange of Letters amending the Agreement between the European Economic Community and the People's Republic of Bangladesh on trade in textile products 44
- Agreement in the form of an exchange of letters amending the Agreement between the European Economic Community and the People's Republic of Bangladesh on Trade in Textile Products 45

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3950/92
of 28 December 1992
establishing an additional levy in the milk and milk products sector

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, pursuant to Council Regulation (EEC) No 856/84 of 31 March 1984 amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products ⁽³⁾, an additional levy scheme was introduced from 2 April 1984 in the said sector; whereas the purpose of this scheme, introduced for nine years and due to expire of 31 March 1993, was to reduce the imbalance between supply and demand on the milk and milk-products market and the resulting structural surpluses; whereas the scheme remains necessary in the future in order to achieve a better market balance; whereas it should therefore continue to be applied for seven further consecutive 12-month periods starting on 1 April 1993;

Whereas, in order to make full use of the experience gained in this area and in the interests of simplification and clarification with a view to ensuring the legal certainty of producers and other parties concerned, the basic rules of the extended scheme should be laid down in a separate regulation, their scope and diversity should be reduced and Council Regulation (EEC) No 2074/92 of 30 June 1992 establishing an additional levy on the milk and milk-products sector ⁽⁴⁾, adopted as an interim measure by the Council, and Regulation (EEC) No 857/84 of 31 March 1984 laying down general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk-products sector ⁽⁵⁾, should both be repealed, without prejudice to the obligations and undertakings entered into under the said Regulation;

Whereas the method adopted in 1984, consisting of the application of a levy to quantities of milk collected or sold for direct consumption above a certain guarantee threshold, must be maintained; whereas the said threshold is expressed for each Member State by a guaranteed total quantity which may not be exceeded by the sum of the individually allocated quantities for both deliveries and sales for direct consumption; whereas the quantities are established for the seven periods as from 1 April 1993 and take account of the various factors relating to the scheme in the past;

Whereas in particular, a Community reserve was created at the start of the scheme to take account of the difficulties created for certain Member States by the implementation of a scheme for controlling milk production; whereas the said reserve had been increased several times to meet the special needs of certain Member States and certain producers; whereas in the light of this experience the various parts of the Community reserve should be incorporated into the guaranteed total quantities and the reserve be abolished;

Whereas the Council has decided, in the context of the reform of the common agricultural policy, to take a definitive decision on the level of the total quantities to apply during the first of the two periods of twelve months, in the light, in particular, of a report on the market situation which the Commission will present before each of these periods;

Whereas if any of the total guaranteed quantities is overrun, the consequence for the Member State is that the producers who contributed to the overrun must pay the levy; whereas the levy on deliveries and sales for direct consumption should be fixed at 115% of the target price for milk; whereas a difference in rates is no longer justified if producers are placed in a comparable position as regards the calculation of the levy;

Whereas, in order to keep the management of the scheme sufficiently flexible, provision should be made for individual overruns to be equalled out over all the individual reference quantities of the same type within the territory of a Member State; whereas in the case of deliveries, which constitute nearly all the quantities marketed, the need to ensure that the levy is fully effective

⁽¹⁾ OJ No C 337, 31. 12. 1991, p. 35.

⁽²⁾ OJ No C 94, 13. 4. 1992, p. 101.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 10.

⁽⁴⁾ OJ No L 215, 30. 7. 1992, p. 69.

⁽⁵⁾ OJ No L 90, 1. 4. 1984, p. 13. Regulation as last amended by Regulation (EEC) No 817/92 (OJ No L 86, 1. 4. 1992, p. 85).

throughout the Community justifies, in principle, continuing to allow Member States the choice between two methods of equalling out overruns of individual reference quantities, bearing in mind the variety of milk production and collection structures; whereas, in this connection, Member States should be authorized not to reallocate unused reference quantities at the end of a period, whether nationally or between purchasers, and to use the amount collected in excess of the levy due for funding national restructuring programmes and/or to refund it to producers of certain categories or producers who find themselves in an exceptional situation;

Whereas, in order to avoid, as in the past, long delays between collection and payment of the levy, which are incompatible with the scheme's objective, provision should be made for the purchaser, who seems in the best position to carry out the necessary operations, to be liable for the levy, and for him to be given the means to collect the levy from the producers who owe it;

Whereas the individual reference quantity should be defined as the quantity available, irrespective of any quantities which may have been transferred temporarily, on 31 March 1993, the expiry date of the nine initial periods of application of the levy scheme; whereas the principles or provisions pursuant to which the said quantity must or may be reduced or increased under the extended scheme should be specified;

Whereas, therefore, under the rules for determining the individual reference quantities, account should be taken of producers who have provisionally received a specific quantity under the scheme in the past;

Whereas it has been agreed that application of the arrangements to control milk production must not jeopardize the restructuring of agricultural holdings in the territory of the former German Democratic Republic; whereas the difficulties encountered make it necessary to extend for a further period the flexibility introduced into those arrangements for that territory, while ensuring that it remains the sole beneficiary;

Whereas reference quantities for deliveries and direct sales should be adapted to reflect economic realities and whereas a producer should therefore be entitled to have a reference quantity increased or established where another is reduced or abolished, commensurately, on condition that the request is duly justified by the need to take account of changes in his marketing requirements;

Whereas experience has shown that that implementation of this scheme presupposes the existence of a national reserve to accommodate all those quantities which, for whatever reasons, are not, or are no longer, allocated individually; whereas a Member State may need to have reference quantities available to cater for special situations, determined by objective criteria; whereas it

should be authorized, to this end, to top up its national reserve, especially following a linear reduction in all reference quantities;

Whereas the temporary transfer of parts of individual reference quantities in Member States which have authorized this has proven to be an improvement to the scheme; whereas this facility should therefore be extended to all producers; whereas, however, implementation of this principle should not stand in the way of further structural change and adjustment, nor fail to take account of the resulting administrative difficulties;

Whereas when the additional levy system was brought in in 1984, the principle was established that when an undertaking was sold, leased or transferred by inheritance, the corresponding reference quantity was transferred to the purchaser, tenant or heir; whereas this original decision should not be changed; whereas, however, national provisions to safeguard the legitimate interests of the parties should be implemented in all cases of transfer, where the parties are not in agreement;

Whereas, in order to continue restructuring milk production and improving the environment, certain derogations to the principle linking reference quantities to holdings should be extended, and Member States should be authorized to continue implementing national restructuring programmes and to organize some degree of mobility for reference quantities within a given geographical area, on the basis of objective criteria;

Whereas the purpose of the levy provided for in this Regulation is to stabilize the market in milk products; whereas the revenue accruing from this Regulation should therefore be used for financing expenditure in the milk sector,

HAS ADOPTED THIS REGULATION:

Article 1

For seven new consecutive periods of twelve months commencing on 1 April 1993, an additional levy shall be payable by producers of cow's milk on quantities of milk or milk equivalent delivered to a purchaser or sold directly for consumption during the 12-month period in question in excess of a quantity to be determined.

The levy shall be 115% of the target price for milk.

Article 2

1. The levy shall be payable on all quantities of milk or milk equivalent marketed during the 12-month period in question in excess of the relevant quantity referred to in

Article 3. It shall be shared between the producers who contributed to the overrun.

In accordance with a decision of the Member State, the contribution of producers towards the levy payable shall be established, after the unused reference quantities have been reallocated or not, either at the level of the purchaser, in the light of the overrun remaining after unused reference quantities have been allocated in proportion to the reference quantities of each producer, or at national level, in the light of the overrun in the reference quantity of each individual producer.

2. As regards deliveries, before a date and in accordance with detailed rules to be laid down, the purchaser liable for the levy shall pay to the competent body of the Member State the amount payable, which he shall deduct from the price of milk paid to producers who owe the levy or, failing this, collect by any appropriate means.

Whereas a purchaser replaces in whole or in part one or more purchasers, the individual reference quantities available to producers shall be taken into account for the remainder of the twelve-month period in progress, less quantities already delivered and account being taken of their fat content. The same provisions shall apply where a producer transfers from one purchaser to another.

Where quantities delivered by a producer exceed his reference quantity, the purchaser shall be authorized, by way of an advance on the levy payable, in accordance with detailed rules laid down by the Member State, to deduct an amount from the price of the milk in respect of any delivery by that producer in excess of his reference quantity.

3. As regards direct sales, the producer shall pay the levy payable to the competent body of the Member State before a date and in accordance with rules to be laid down.

4. Where the levy is payable and the amount collected is greater than that levy, the Member State may use the excess to finance the measures referred to in the first indent of Article 8 and/or redistribute it to producers who fall within priority categories established by the Member State on the basis of objective criteria to be determined or who are affected by an exceptional situation resulting from a national provision unconnected with this scheme.

Article 3

The sum of the individual reference quantities of the same type may not exceed the corresponding total quantities to be determined for each Member State.

When the Council decides to adjust the abovementioned total quantities to the market situation, the adjustments shall be expressed as a percentage of the total quantities to be met in respect of the preceding period.

Article 4

1. The individual reference quantity available on the holding shall be equal to the quantity available on 31 March 1993 and shall be adjusted, where appropriate, for each of the periods concerned, so that the sum of the individual reference quantities of the same type does not exceed the corresponding global quantities referred to in Article 3, taking account of any reductions made for allocation to the national reserve provided for in Article 5.

2. Individual reference quantities shall be increased or established at the duly justified request of producers to take account of changes affecting their deliveries and/or direct sales. The increase or establishment of such a reference quantity shall be subject to a corresponding reduction or cancellation of the other reference quantity the producer owns. Such adjustments may not lead to an increase in the sum of the deliveries and direct sales referred to in Article 3 for the Member State concerned.

Where the individual reference quantities undergo a definitive change, the quantities referred to in Article 3 shall be adjusted in accordance with the procedure laid down in Article 11.

3. If a producer who has provisionally received a specific individual reference quantity pursuant to the last subparagraph of Article 3a(1) of Regulation (EEC) No 857/84 can prove before 1 July 1993 to the satisfaction of the competent authority that he has actually resumed sales and/or deliveries and that his direct sales and/or his deliveries have in the course of the preceding twelve months reached a level equal to or higher than 80% of the provisional reference quantity, the specific reference quantity shall be allocated definitively to him. Otherwise, the reference quantity definitively allocated shall be equal to the quantity actually delivered or sold direct.

Actual deliveries and/or direct sales shall be determined in the light of the trend in production on the producer's holding, seasonal conditions and any exceptional circumstances.

4. In the case of agricultural holdings situated in the territory of the former German Democratic Republic, the reference quantity may be allocated provisionally for the period from 1 April 1993 to 31 March 1994, provided that the quantity thus allocated is not modified during that period.

Article 5

Within the quantities referred to in Article 3, the Member State may replenish the national reserve following an across-the-board reduction in all the individual reference quantities in order to grant additional or specific quantities to producers determined in accordance with objective criteria agreed with the Commission.

Without prejudice to Article 6 (1), reference quantities available to producers who have not marketed milk or other milk products for one of the twelve-month periods shall be allocated to the national reserve and may be reallocated in accordance with the first subparagraph. Where the producer resumes production of milk or other milk products within a period to be determined by the Member State, he shall be granted a reference quantity in accordance with Article 4 (1) no later than 1 April following the date of his application.

Article 6

1. Before a date that they shall determine and by 31 December at the latest, Member States shall authorize, for the 12-month period concerned, temporary transfers of individual reference quantities which producers who are entitled thereto do not intend to use. However, the reference quantities referred to in Article 4 (3) may not be the subject of such temporary transfers until 31 March 1995.

Member States may vary transfer operations depending on the category of producers or dairy production structures, may limit them at the level of the purchaser within regions and may determine to what extent transfer operations may be renewed.

2. Any Member State may decide not to implement paragraph 1 on the basis of one or both of the following criteria:

- the need to facilitate structural developments and adjustments,
- overriding administrative needs.

Article 7

1. Reference quantities available on a holding shall be transferred with the holding in the case of sale, lease or transfer by inheritance to the producers taking it over in accordance with detailed rules to be determined by the Member States taking account of the areas used for dairy production or other objective criteria and, where applicable, of any agreement between the parties. Any part of the reference quantity which is not transferred with the holding shall be added to the national reserve.

The same provisions shall apply to other cases of transfers involving comparable legal effects for producers.

However:

- (a) until 30 June 1994, the reference quantity referred to in Article 4 (3) shall be added to the national reserve in the case of sale or leasing of the holding;
- (b) where land is transferred to public authorities and/or for use in the public interest, or where the transfer is

carried out for non-agricultural purposes, Member States shall provide that the measures necessary to protect the legitimate interests of the parties are implemented, and in particular that the departing producer is in a position to continue milk production, if such is his intention.

2. Where there is no agreement between the parties, in the case of rural leases due to expire without any possibility of renewal on similar terms, or in situations involving comparable legal effects, the reference quantities available on the holdings in question shall be transferred in whole or in part to the producers taking them over, in accordance with provisions adopted or to be adopted by the Member States, taking account of the legitimate interests of the parties.

Article 8

With a view to completing restructuring of milk production at national, regional or collection area level, or to environmental improvement, Member States may take one or more of the following actions in accordance with detailed rules which they shall lay down taking account of the legitimate interests of the parties:

- grant compensation in one or more annual instalments to producers who undertake to abandon definitively all or part of their milk production and place the reference quantities thus released in the national reserve,
- determine on the basis of objective criteria the conditions under which producers may obtain, in return for payment, at the beginning of a 12-month period, the reallocation by the competent authority or by the body designated by that authority, of reference quantities released definitively at the end of the preceding twelve-month period by other producers in return for compensation in one or more annual instalments equal to the abovementioned payment,
- provide, in the case of land transferred with a view to improving the environment, for the allocation of the reference quantity available on the holding concerned to the departing producer if he intends continuing milk production,
- determine, on the basis of objective criteria, the regions or collection areas within which the transfer of reference quantities between certain producer categories without transfer of the corresponding land is authorized, with the aim of improving the structure of milk production,
- authorize, upon application by the producer to the competent authority or the body designated by that authority, the transfer of reference quantities without transfer of the corresponding land, or vice versa, with the aim of improving the structure of milk production at the level of the holding or to allow for extensification of production.

However, until 30 June 1994, producers with a reference quantity as referred to in Article 4 (3) may not benefit from the provisions of this Article, with the exception of the third indent.

Article 9

For the purposes of this Regulation:

- (a) 'milk' means the produce of the milking of one or more cows;
- (b) 'other milk products' means cream, butter and cheese in particular;
- (c) 'producer' means a natural or legal person or a group of natural or legal persons farming a holding within the geographical territory of the Community:
 - selling milk or other milk products directly to the consumer,
 - and/or supplying the purchaser;
- (d) 'holding' means all production units operated by the single producer and located within the geographical territory of the Community;
- (e) 'purchaser' means an undertaking or grouping which purchases milk or other milk products from a producer:
 - to treat or process them,
 - to sell them to one or more undertakings treating or processing milk or other milk products.

However, any group of purchasers in the same geographical area which carries out administrative and accounting operations necessary for the payment of the levy on behalf of its members shall be regarded as a purchaser. For the purposes of applying this provision, Greece shall be deemed a single geographical area and it may deem an official body to be a group of purchasers as referred to above;

- (f) 'undertaking treating or processing milk or other milk products' means an undertaking or grouping which is

involved in collection, packaging, storage, chilling and processing operations or whose dairying activities are restricted to one of those operations;

- (g) 'delivery' means any delivery of milk or other milk products, whether the transport is carried out by the producer, a purchaser, an undertaking processing or treating such products or a third party;
- (h) 'milk or milk equivalent sold directly for consumption' means milk or milk products converted into milk equivalent, sold or transferred free without going through an undertaking treating or processing milk or other milk products.

Article 10

The levy shall be considered as intervention to stabilize agricultural markets and shall be used to finance expenditure in the milk sector.

Article 11

The detailed rules for the application of this Regulation and in particular the characteristics of milk, including fat content, which are considered representative for the purposes of establishing the quantities of milk delivered or purchased shall be adopted in accordance with the procedure provided for in Article 30 of Regulation (EEC) No 804/68 ⁽¹⁾.

Article 12

Regulations (EEC) Nos 857/84 and 2074/92 are hereby repealed.

Article 13

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

It shall apply from 1 April 1993.

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

Done at Brussels, 28 December 1992.

For the Council

The President

J. GUMMER

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EEC) No 2071/92 (OJ No L 215, 30. 7. 1992, p. 64).

COUNCIL REGULATION (EEC) No 395/92

of 29 December 1992

on the arrangements for imports of certain textile products originating in Taiwan

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 Council Regulation (EEC) No 4134/86 of 22 December 1986 on the arrangements for imports of certain textile products originating in Taiwan⁽¹⁾ laid down the arrangements for imports into the Community of the products in question until 31 December 1992;

Whereas those arrangements should be maintained beyond that date and adjusted as part of the revision of the Community's overall commercial policy on textile products and the realization of the internal market as from 1 January 1993;

Whereas, in order *inter alia* to ensure compliance with the objectives of this Regulation, the release for free circulation of the products in question should be made subject to import authorization on presentation of an export document issued in Taiwan by a body affording all the necessary guarantees;

Whereas it is necessary to provide that neither handicraft or traditional folklore products, for which an appropriate certification system will be devised, nor products introduced into the customs territory of the Community under the inward processing rules or under other temporary admission rules and re-exported from that territory in the same state or after processing are to be set off against the abovementioned quantitative quotas;

Whereas provision should be made for introducing, where certain conditions are fulfilled, quantitative limits on textile products which are included in the import arrangements applicable to Taiwan but for which no quantitative limit has been fixed;

Whereas it should be possible, where it is found that products originating in Taiwan and subject to this Regulation have been imported into the Community in an attempt to evade the provisions of this Regulation, to deduct the quantity of goods concerned from the appropriate quantitative quotas established under this Regulation;

⁽¹⁾ OJ No L 386, 31. 12. 1986, p. 1. Regulation as last amended by Regulation (EEC) No 344/92 (OJ No L 42, 18. 2. 1992, p. 1).

Whereas it should be possible to introduce specific quantitative quotas for products obtained under the outward processing relief arrangements;

Whereas Article 8a of the Treaty lays down that the Community should adopt measures for the progressive establishment of the internal market over a period expiring on 31 December 1992; whereas the internal market comprises of an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured;

Whereas a new system for administering quantitative restrictions should be established based on the principle of a common commercial policy, in accordance with the guidelines laid down by the Court of Justice and with a view to establishing the Internal Market on 1 January 1993;

Whereas the procedure for administering import quotas should be based on a system of licences issued by the Member States in line with quantitative criteria established at Community level;

Whereas the administrative procedure to be established must ensure that all applicants have fair access to Community quantitative quotas;

Whereas surveillance or safeguard measures confined to one or more regions rather than the whole of the Community may nevertheless prove necessary; whereas however such measures should be authorized only exceptionally and where no alternative exists; whereas it is necessary, in addition, to ensure that such measures are temporary and cause the minimum of disruption to the operation of the internal market;

Whereas the measures covered by this Regulation are both necessary and appropriate in order to complete the common commercial policy and to safeguard the measures already taken by the Community in the textile and clothing sector;

Whereas the import arrangements at present in force expire on 31 December 1992; whereas it is necessary to provide for transitional arrangements in respect of products shipped before 1 January 1993,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1993 to 31 December 1995 importation into the Community of the products indicated in the categories listed in Annex I shall be governed by the provisions of this Regulation.

2. Classification shall be based on the combined nomenclature (CN).

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

Article 2

1. In 1993, 1994 and 1995, importation into the Community of textile products listed in Annex II and originating in Taiwan shall be effected within the limits of quantitative Community quotas laid down in the said Annex.

2. For the purposes of the application of this Regulation, the concept of originating products, as well as the means of monitoring their origin, shall be those defined by the relevant Community rules in force.

3. Subject to the other provisions of this Article, the release for free circulation in the Community of the products referred to in paragraph 1 shall be subject to the presentation of import authorization issued by the Member States' authorities at the importer's request, on presentation by the said importer of an export document conforming to the model in Annex III, issued by the Taiwan Textile Federation.

4. The authorities of the Member State of import shall issue the import authorization in conformity with the rules and procedures established in Regulation (EEC) No 4136/86⁽¹⁾ as may be subsequently amended and implemented to take account of the realization of the internal market.

Imports authorized in accordance with the provisions of the first subparagraph shall be set off against the quotas established for the year in which the products were loaded on board in Taiwan.

For the purposes of this Regulation, shipment of the goods is considered to have taken place on the date of their loading on to the exporting aircraft, vehicle or vessel.

5. The release after 1 January 1993 for free circulation in the Community of the products covered by this Regulation shall be subject to the important arrangements which were in force before that date, provided that the products were loaded on board in Taiwan before 1 January 1993.

6. Should it appear that additional supplies of a product listed in Annex II are required in the Community, importation of amounts greater than those mentioned in Annex II may be authorized in accordance with the procedure laid down in Article 9.

7. The definition of quantitative limits laid down in Annex II and of the categories of products to which they apply shall be adapted in accordance with the procedure

laid down in Article 9, where this proves necessary to ensure that any subsequent amendment to the combined nomenclature or a decision amending the classification of such products does not result in a reduction of such quantitative limits.

Article 3

1. Imports of textile products in the categories to which this Regulation applies, originating in Taiwan and not listed in Annex II, may be made subject to quantitative limits in the Community where the level of those imports exceeds the level of the total imports of the same products in the preceding year by the following percentages:

- for the categories of products in Group I: 0,4%,
- for the categories of products in Group II: 2%,
- for the categories of products in Group III: 6%.

2. Such limits may not be set at an annual level lower than 106% of the volume of imports during the year preceding that in which imports exceeded the threshold established in accordance with paragraph 1, nor lower than the level established under paragraph 1, nor lower than the 1985 volume of imports of the category of products in question originating in Taiwan.

3. Where it emerges that the conditions for the adoption of quantitative limits are met in one or more regions of the Community, the Commission, after having examined alternative solutions, may exceptionally authorize the application of surveillance or of quantitative measures limited to the regions concerned if it considers that such measures are more appropriate than measures applied throughout the Community.

These measures must be temporary and must disrupt the operation of the internal market as little as possible.

4. The limits referred to in paragraphs 1 and 2 shall be set by the Commission in accordance with the procedure referred to in Article 9.

5. The provisions for the administration of the quantitative quotas described in Article 2, and in particular Article 2, Article 4 and Article 6 to 8 of this Regulation, shall apply to quantitative limits established under this Article, save for any different provisions adopted in accordance with the procedure referred to in Article 9.

Article 4

1. According to the procedure envisaged in Article 9, the Commission may authorize imports in excess of the quantitative quotas laid down by Article 2, either by

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 42.

carrying over unused quantities from the quotas of the preceding year or by advance drawing on the quotas for the following year, provided that such carry-over and advance drawing does not exceed respectively 7% and 5% of the quota to be increased.

2. According to the procedure envisaged in Article 9, the Community may authorize the transfer of unused quantities in one quota to another quota within the following limits only:

- between categories 2 and 3 of Group I: 4% of the quota to which the transfer is made,
- between categories 4 to 8 of Group I: 4% of the quota to which the transfer is made,
- from the categories in Groups I, II and III to categories in Groups II or III: 5% of the quota to which the transfer is made.

The table of equivalences applying to the transfers referred to in the first subparagraph is given in Annex I.

3. The cumulative application of the flexibility arrangements set out in the preceding paragraphs may not exceed, with regard to each quota, 12%.

4. When sudden and prejudicial changes in traditional trade flows in goods under Community quotas referred to in Article 2 (1) result in regional concentration of direct imports into the Community, the Commission will, in accordance with the procedure laid down in Article 9, look for a solution to such problems.

Article 5

1. Where the Commission finds that products originating in Taiwan which are subject to quantitative quotas established under this Regulation have been transhipped, rerouted or otherwise imported into the Community in circumvention of this Regulation and where there is clear proof of such circumvention, the Commission shall, in accordance with the procedure laid down in Article 9, deduct from the quantitative quotas established under this Regulation an amount equivalent to the amount of the products concerned originating in Taiwan.

Article 6

Specific quotas for products of economic outward processing operations fulfilling the conditions set out in Regulation (EEC) No 636/82 ⁽¹⁾ may be established, in

⁽¹⁾ OJ No L 76, 20. 3. 1982, p. 1.

accordance with the procedure described in Article 9, in respect of the products listed in Annex II or subject to quantitative limits under Article 3.

Article 7

Products referred to in Article 1 which are brought into the customs territory of the Community under inward processing arrangements or under other temporary admission arrangements and re-exported from that territory in the unaltered state or after processing shall not be charged against the quotas as established in articles 2 and 3.

Article 8

1. Products referred to in Article 1 shall not be set off against the quotas referred to in Articles 2 and 3 if they comply with the criteria set out below:

- (a) fabrics, woven on handlooms entirely operated by hand or foot, of a traditional variety made by the cottage industry in Taiwan;
- (b) clothes or other textile articles of a traditional variety fabricated by the cottage industry in Taiwan, obtained manually from fabrics described above and handsewn without the aid of machinery;
- (c) handmade traditional folklore textile products made by the cottage industry in Taiwan.

2. For the application of paragraph 1, products must on importation, be accompanied by a certificate conforming to the model in Annex III and issued by the Taiwan Textile Federation.

Article 9

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

The Commission representative, who shall chair the Committee, shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver an opinion on the draft measures within a period which may be fixed by the chairman depending on the degree of urgency of the matter. The Committee shall decide by the majority specified in Article 148 (2) of the 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 the Member States' representatives shall be weighted in accordance with the abovementioned Article. The chairman shall not vote.

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

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

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.

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

Done at Brussels, 29 December 1992.

Article 10

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 11

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

It shall apply from 1 January 1993 to 31 December 1995.

For the Council

The President

D. HURD

ANNEX I

LIST OF PRODUCTS REFERRED TO IN ARTICLE 2 (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 to cover 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 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	(a) Of which: other than unbleached or bleached		

(1)	(2)	(3)	(4)	(5)
3 (a) (cont'd)	5515 92 19 5515 92 99 5515 99 30 5515 99 90 ex 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 35 6110 10 38 6110 10 91 6110 10 95 6110 10 98 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 39 6204 63 18 6204 69 18 6211 32 42 6211 33 42 6211 42 42 6211 43 42	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; lower parts of tracksuits with lining, other than category 16 or 29, 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 5509 31 10 5509 31 90 5509 32 10 5509 32 90 5509 61 10 5509 61 90 5509 62 00 5509 69 00	(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 80 6203 23 80 6203 29 18 6211 32 31 6211 33 31	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits; men's or boy's tracksuits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres	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 6211 32 41 6211 33 41 6211 42 41 6211 43 41	Parkas; anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or man-made fibres; upper parts of tracksuits with lining, other than category 16 or 29, of cotton or of 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 6211 42 31 6211 43 31	Women's or girls' suits and ensembles, other than knitted or crocheted, of wool, of cotton or man-made fibres, excluding ski suits; women's or girls' tracksuits with lining, with an outer shell of an identical fabric, of cotton or of man-made fibres	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	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 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			
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)
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 pompons 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		

(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, awnings, 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

(The complete description of the goods is shown in Annex I)

COMMUNITY QUANTITATIVE LIMITS

Category	Unit	1993	1994	1995
GROUP I A				
2	tonnes	5 797	5 803	5 808
2a	tonnes	395	397	399
3	tonnes	8 034	8 074	8 115
3a	tonnes	620	626	633
GROUP I B				
4 ⁽¹⁾	1 000 pieces	10 246	10 380	10 515
5	1 000 pieces	20 427	20 549	20 673
6 ⁽¹⁾	1 000 pieces	5 231	5 296	5 362
7	1 000 pieces	3 265	3 292	3 320
8	1 000 pieces	8 601	8 687	8 774
GROUP II A				
20	tonnes	243	249	255
22	tonnes	7 919	8 078	8 239
23	tonnes	4 603	4 741	4 883
GROUP II B				
12	1 000 pairs	33 893	34 570	35 262
13	1 000 pieces	2 628	2 680	2 734
14	1 000 pieces	3 368	3 486	3 608
15	1 000 pieces	2 217	2 283	2 352
16	1 000 pieces	398	406	414
17	1 000 pieces	801	817	833
18	tonnes	1 704	1 746	1 790
21 ⁽¹⁾	1 000 pieces	5 564	5 648	5 732
24	1 000 pieces	3 735	3 828	3 924
26	1 000 pieces	3 034	3 064	3 095
27	1 000 pieces	1 629	1 662	1 695
28 ⁽¹⁾	1 000 pieces	1 801	1 846	1 892
68	tonnes	555	578	601
73	1 000 pieces	1 556	1 579	1 603
77	tonnes	321	340	361
78	tonnes	4 044	4 165	4 290
83	tonnes	901	928	956
GROUP III A				
33	tonnes	1 279	1 343	1 410
35	tonnes	6 124	6 368	6 623
37	tonnes	15 036	15 638	16 263
GROUP III B				
10	1 000 pairs	19 236	20 005	20 805
67	tonnes	1 142	1 204	1 271
74	tonnes	232	245	258
91	tonnes	1 082	1 136	1 192
97	tonnes	959	1 007	1 057
97a	tonnes	452	474	498
110	tonnes	3 735	3 960	4 197

⁽¹⁾ See appendix

Appendix

Category	Country	Remarks
4	Taiwan	<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 4 % 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>
6	Taiwan	<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 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>
21	Taiwan	<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 4 % 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>
28	Taiwan	<p>In addition to the Community quantitative limits shown in Annex II, specific quantities were agreed for exports of bib and brace overalls, breeches and shorts falling within CN codes 6103 41 90, 6103 42 90, 6103 43 90, 6103 49 91, 6104 61 90, 6104 62 90, 6104 63 90 and 6104 69 91 only:</p> <p>1993: 166 tonnes 1994: 170 tonnes 1995: 174 tonnes</p>

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 CERTIFICATE (Textile products)	
	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)
	ORIGINAL FOR APPLYING IMPORT LICENCE ONLY	
13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITÉ COMPÉTENTE 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. 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.		
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	At - À, on - le	
Taiwan Textile Federation TTF Building 22, Ai Kuo East Road Taipei, Taiwan Telex: *23143 TTFROC Taipei Cable add.: "TTFROC" Taipei Tel.: 341-7251	(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.



COUNCIL REGULATION (EEC) No 3952/92

of 30 December 1992

amending Regulation (EEC) No 594/91 in order to speed up the phasing-out of substances that deplete the ozone layer

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130s 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, according to the latest scientific knowledge, severe depletion over the Antarctic continues to occur; whereas depletion of the ozone layer over the Northern hemisphere is more extensive than was previously generally accepted;

Whereas scientific studies forecast further depletion of the ozone layer into the twenty-first century, unless the production and consumption of the fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and 1,1,1-trichloroethane are brought to an end in the very near future;

Whereas, except for certain essential uses, it is technically possible to phase out all consumption of halons by the end of 1993, fully halogenated chlorofluorocarbons and carbon tetrachloride by the end of 1994 and 1,1,1-trichloroethane by the end of 1995;

Whereas the amendment to the Montreal Protocol adopted at the second meeting of its Parties entered into force on 10 August 1992; whereas Annex D of the Protocol adopted at the third meeting of its Parties entered into force on 27 May 1992;

Whereas the Parties to the Montreal Protocol adopted, at their fourth meeting in Copenhagen, at which the Community and the Member States played a leading role, additional measures for the protection of the ozone layer;

Whereas Regulation (EEC) No 594/91 (4) provides for controls on substances that deplete the ozone layer;

Whereas it is necessary for additional action to be taken at Community level to carry out the Community's obligations under the Protocol as far as the adjustments are concerned;

Whereas, in the light of recent scientific knowledge and the availability of technologies for replacing ozone depleting substances, it is appropriate to introduce control measures which are stricter than those provided for in Regulation (EEC) No 594/91 and which are, in some cases, stricter than those of the adjusted Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

Control of the production and consumption of chlorofluorocarbons 11, 12, 113, 114 and 115

The following changes are hereby made to Articles 10 (1) and 11 (1) of, and Annex II to, Regulation (EEC) No 594/91:

1. in the second indent of the first subparagraph of Article 10 (1), 'and in the following 12-month period', shall be deleted;
2. the third indent of the first subparagraph of Article 10 (1) shall be deleted;
3. in the fourth indent of the first subparagraph of Article 10 (1), '1996' shall be replaced by '1994';
4. the fifth indent of the first subparagraph of Article 10 (1) shall be deleted;
5. in the sixth indent of the first subparagraph of Article 10 (1):
 - '30 June 1997' shall be replaced by '31 December 1994';
 - the following shall be added: 'However, for those Member States whose calculated level of production of chlorofluorocarbons was less than 15 000 tonnes in 1986, the calculated level of their production in the period 1 January to 31 December 1995 shall not exceed 15% of the calculated level of their production in 1986 and there shall be no production of chlorofluorocarbons after 31 December 1995';

(1) OJ No C 90, 10. 4. 1992, p. 16.

(2) OJ No C 305, 23. 11. 1992.

(3) OJ No C 223, 31. 8. 1992, p. 62.

(4) OJ No L 67, 14. 3. 1991, p. 1.

6. in the second subparagraph of Article 10 (1), '30 June 1997' shall be replaced by '31 December 1994';
 7. the second to fifth indents of the first subparagraph and the second subparagraph of Article 11 (1) shall be amended in the same way as the corresponding indents and subparagraphs of Article 10 (1);
 8. in the sixth indent of the first subparagraph of Article 11 (1) '30 June 1997' shall be replaced by '31 December 1994'.
 9. in Annex II, the calculated level of the quantitative limits on imports of substances in Group I shall be fixed at 348 tonnes for 1994; imports of these substances shall cease on 31 December 1994 at the latest.
1. in the first indent of the first subparagraph of Article 10 (3), 'each 12-month period thereafter' shall be replaced by 'the following 12-month period';
 2. the second indent of the first subparagraph of Article 10 (3) shall be deleted;
 3. in the third indent of the first subparagraph of Article 10 (3), '1999' shall be replaced by '1993'.
 4. in the second subparagraph of Article 10 (3), '2000' shall be replaced by '1994'.
 5. the first to third indents of the first subparagraph and the second subparagraph of Article 11 (3) are amended in the same way as the corresponding indents and subparagraphs of Article 10 (3);
 6. in Annex II, imports of the substances shall cease on 31 December 1993.

Article 2

Control of the production and consumption of other fully halogenated chlorofluorocarbons

The following changes are hereby made to Articles 10 (2) and 11 (2) of, and Annex II, to Regulation (EEC) No 594/91:

1. in the first indent of the first subparagraph of Article 10 (2), 'each 12-month period thereafter' shall be replaced by 'the following 12-month period';
2. the second indent of the first subparagraph of Article 10 (2) shall be deleted;
3. in the third indent of the first subparagraph of Article 10 (2), '1996' shall be replaced by '1994';
4. the fourth indent of the first subparagraph of Article 10 (2) shall be deleted;
5. in the fifth indent of the first subparagraph of Article 10 (2), '30 June 1997' shall be replaced by '31 December 1994';
6. in the second subparagraph of Article 10 (2), '30 June 1997' shall be replaced by '31 December 1994';
7. the first to fifth indents of the first subparagraph and the second subparagraph of Article 11 (2) shall be amended in the same way as the corresponding indents and subparagraphs of Article 10 (2);
8. in Annex II, the calculated level of the quantitative limits on imports of substances in Group II shall be fixed at 15% of the calculated level of imports in 1989 for 1994; imports of these substances shall cease on 31 December 1994 at the latest.

Article 3

Control of the production and consumption of the halons

The following changes are hereby made to Articles 10 (3) and 11 (3) of and Annex II to Regulation (EEC) No 594/91:

Article 4

Control of the production and consumption of carbon tetrachloride

The following changes are hereby made to Articles 10 (4) and 11 (4) of and Annex II to Regulation (EEC) No 594/91:

1. in the first indent of the first subparagraph of Article 10 (4), 'each 12-month period thereafter' shall be replaced by 'the following 12-month period';
2. in the second indent of the first subparagraph of Article 10 (4), '1995, and in each 12-month period thereafter' shall be replaced by '1994';
3. in the third indent of the first subparagraph of Article 10 (4), '1997' shall be replaced by '1994';
4. in the second subparagraph of Article 10 (4), '1998' shall be replaced by '1995';
5. the first to third indents of the first subparagraph and the second subparagraph of Article 11 (4) shall be amended in the same way as the corresponding indents and subparagraphs of Article 10 (4);
6. in Annex II, the calculated level of the quantitative limits on imports of the substance in Group IV shall be fixed at 15% of the calculated level of imports in 1989 for 1994; imports of this substance shall cease on 31 December 1994 at the latest.

Article 5

Control of the production and consumption of 1,1,1-trichloroethane

The following changes are hereby made to Articles 10 (5) and 11 (5) of and Annex II to Regulation (EEC) No 594/91:

1. in the first indent of the first subparagraph of Article 10 (5), 'each 12-month period thereafter' shall be replaced by 'the following 12-month period';
2. in the second indent of the first subparagraph of Article 10 (5), '1995', and in each 12-month period thereafter' shall be replaced by '1994, and in the following 12-month period', and '70%' shall be replaced by '50%';
3. the third indent of the first subparagraph of Article 10 (5) shall be deleted;
4. in the fourth indent of the first subparagraph of Article 10 (5), '2004' shall be replaced by '1995';
5. a second subparagraph shall be inserted after the first subparagraph of Article 10 (5) as follows:
'The Commission, in accordance with the producers set out in Article 12, shall determine any essential uses of 1,1,1-trichloroethane which may be permitted in the Community after 31 December 1995 and until 31 December 2004 at the latest and any quantities of 1,1,1-trichloroethane which may be produced by each producer for this purpose. Such production shall be allowed only if adequate alternatives or recycled 1,1,1-trichloroethane are not available.';
6. the first to fourth indents of the first subparagraph of Article 11 (5) shall be amended in the same way as the corresponding indents of Article 10 (5);
7. A second subparagraph shall be inserted after the first subparagraph of Article 11 (5) as follows:
'The Commission, in accordance with the procedure set out in Article 12, shall determine any quantities of 1,1,1-trichloroethane that could be placed on the market or used for its own account by each producer after 31 December 1995 and until 31 December 2004 at the latest for the purpose of essential uses.';
8. in Annex II, the calculated level of the quantitative limits on imports of the substances in Group V shall be fixed at 50% of the calculated level of imports in 1989 for each of the years 1994 and 1995; imports of this substance shall cease on 31 December 1995 at the latest.

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

Done at Brussels, 30 December 1992.

Article 6

Importation of controlled substances from non-Parties to the Protocol

In Article 5 (2) of Regulation (EEC) No 594/91:

'1 January 1993' shall be replaced by '10 August 1993'.

Article 7

Exportation of controlled substances to non-Parties to the Protocol

Article 8 of Regulation (EEC) 594/91 shall be replaced by the following Article:

'Article 8

Exportation of controlled substances to non-Parties to the Protocol

1. With effect from 1 January 1993, the exportation from the Community of virgin, recycled or used chlorofluorocarbons or halons to any non-Party to the Protocol shall be prohibited.

2. With effect from 10 August 1993, the exportation from the Community of virgin, recycled or used other fully halogenated chlorofluorocarbons, carbon tetrachloride or 1,1,1-trichloroethane to any non-Party to the Protocol shall be prohibited.'

Article 8

Importation of products containing controlled substances from non-Parties to the Protocol

In Article 6 (1) of Regulation (EEC) No 594/91:

'1 January 1993' shall be replaced by '27 May 1993'.

Article 9

Entry into force

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

For the Council

The President

D. HURD

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 30 December 1992

approving the conclusion of the Agreement in the form of an Exchange of Letters amending the Agreement between the European Economic Community and the People's Republic of Bangladesh on trade in textile products

(92/606/CEE)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Commission, with the cooperation of the Bangladesh authorities, was recently able to collect evidence of widespread frauds in shipments apparently from Bangladesh of products of MFA categories 4, 6 and 8;

Whereas the Commission has negotiated, on behalf of the Community, an agreement in the form of an Exchange of Letters amending the Agreement between the European Economic Community and the People's Republic of Bangladesh on trade in textile products, in order to bring under control and to eliminate the circumvention of the provisions of the Agreement;

Whereas the aforementioned Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters amending the Agreement between the European Economic

Community and the People's Republic of Bangladesh on trade in textile products, as extended, is hereby approved on behalf of the European Economic Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement referred to in paragraph 1 in order to bind the Community.

Article 3

This Decision shall take effect on the third day following that of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 30 December 1992.

For the Council

The President

D. HURD

AGREEMENT

in the form of an exchange of letters amending the Agreement between the European Economic Community and the People's Republic of Bangladesh on Trade in Textile Products

Initialled in Brussels on 9 October 1992

Letter No 1

Sir,

1. I have the honour to refer to the consultations held in Brussels on 21 and 22 May 1992 between our respective delegations for the purpose of amending the Agreement on trade in textile products between the European Economic Community and the People's Republic of Bangladesh, applied since 1 January 1987, as extended by exchange of letters initialled on 12 December 1991 and applied since 1 January 1992, in order to deal effectively with the problems of circumvention that have arisen in the trade between the Parties.
2. As a result of these consultations, both Parties agree on the introduction, initially for the products of categories 4, 6 and 8, of a double checking system based on export and import licences as described in Protocol A, Titles III, IV and V of the bilateral Agreement, but without quantitative limits. Both Parties agree that in the light of their experience in operating the system its coverage may by mutual consent be altered either to include products of other categories or to exclude products for which the system is no longer considered necessary.
3. Both parties agree that the amendments stemming from this exchange of letters shall enter into force on the day following the date on which the Parties have notified each other that the legal procedures necessary to this end have been completed. It shall remain in force until 31 December 1992.
4. I should be obliged if you would kindly confirm the acceptance of your Government to the foregoing.
5. Please accept, Sir, the assurance of my highest consideration.

*For the Council
of the European Communities*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

1. I have the honour to refer to the consultations held in Brussels on 21 and 22 May 1992 between our respective delegations for the purpose of amending the Agreement on trade in textile products between the European Economic Community and the People's Republic of Bangladesh, applied since 1 January 1987, as extended by exchange of letters initialled on 12 December 1991 and applied since 1 January 1992, in order to deal effectively with the problems of circumvention that have arisen in the trade between the Parties.
2. As a result of these consultations, both Parties agree on the introduction, initially for the products of categories 4, 6 and 8, of a double checking system based on export and import licences as described in Protocol A, Titles III, IV and V of the bilateral agreement, but without quantitative limits. Both Parties agree that in the light of their experience in operating the system its coverage may by mutual consent be altered either to include products of other categories or to exclude products for which the system is no longer considered necessary.
3. Both parties agree that the amendments stemming from this exchange of letters shall enter into force on the day following the date on which the Parties have notified each other that the legal procedures necessary to this end have been completed. It shall remain in force until 31 December 1992.
4. I should be obliged if you would kindly confirm the acceptance of your Government of the foregoing.'

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 People's Republic of Bangladesh
