

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 732 FINAL

Brussels, 19 December 1977

Proposal for a Council regulation (EEC) on determining the origin of textile products falling within Chapter 51 or Chapters 53 to 62 of the Common Customs Tariff.

Proposal for a Council Regulation (EEC) on proof of origin for textile products falling within Chapter 51 or Chapters 53 to 62 of the Common Customs Tariff and imported into the Community, and on the conditions for the acceptance of such proof.

(submitted to the Council by the Commission)

COM(77) 732 final

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EXPLANATORY MEMORANDUM

1. When adopting the negotiating directives for the new bilateral agreements on the trade in textile products between the Community and a majority of its supplying countries, the Council stressed the need to prevent abuses and deflections of trade which might hinder the proper implementation of the agreements. It was therefore agreed that the Community should introduce more precise rules of origin for textile products, taking as their basic criterion a single complete process.
2. The Commission, assisted by experts on the Committee on Origin, has prepared a draft regulation embodying the spirit of the Council's directives: Through its interpretation of Article 5 of Regulation (EEC) No 802/68 of 27 June 1968, the draft regulation specifies the processes which confer on any textile product the origin of a given country of the Community.
3. Article 5 of Regulation (EEC) No 802/68, it will be recalled, lays down the principle that "a product in the production of which two or more countries were concerned shall be regarded as originating in the country in which the last substantial process or operation that is economically justified was performed, having been carried out in an undertaking equipped for the purpose, and resulting in the manufacture of a new product or representing an important stage of manufacture".
4. The draft embodying the interpretation of the article quoted above, was submitted in accordance with the procedure laid down in Article 14 (a) of Regulation (EEC) No 802/68 to a vote of the Committee on Origin at its meeting of 5 December 1977. As the Committee failed to deliver an Opinion by a qualified majority, the Commission was unable to adopt the draft which it accordingly submits to the Council for a decision, in accordance with the procedure laid down in Article 14(b) of Regulation (EEC) No 802/68.
5. It should be noted that, in accordance with the provisions of Article 14(b) the Commission has to adopt the draft in this proposition insofar as the Council does not make a decision within three months.

COUNCIL REGULATION (EEC) No 177 OF

on determining the origin of textile products falling within Chapter 51 or Chapters 53 to 62 of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the recommendation from the Commission,

Having regard to Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods¹, and in particular Article 14 thereof,

Whereas Article 5 of the above Regulation provides that a product in the production of which two or more countries were concerned shall be regarded as originating in the country in which the last substantial process or operation that is economically justified was performed, having been carried out in an undertaking equipped for the purpose, and resulting in the manufacture of a new product or representing an important stage of manufacture;

Whereas with regard to the textile products falling within Chapter 51 or Chapters 53 to 62 these criteria may be considered to be fulfilled where the products obtained have undergone one complete process constituting a stage of manufacture; whereas this is normally the case where the working or processing results in the product obtained receiving a classification under a tariff heading other than that covering each of the products worked or processed;

Whereas in the case of certain products, however, the general criterion of a change of tariff heading does not correspond to the performance of one complete process; whereas it is therefore necessary in the case of these products to lay down conditions in addition to the change of tariff heading;

Whereas certain operations, however, constitute a complete process but nevertheless do not result in a change of tariff heading; whereas it is therefore necessary in the case of these operations to provide for certain exceptions to the rule requiring a change of tariff heading;

(1) OJ No L 148 of 28.6.1968, p. 1

LIST A

List of working or processing operations which result in a change in the Customs Co-operation Council Nomenclature (CCCN) heading without conferring the status of originating products on the products undergoing such operations, or conferring this status only subject to certain conditions

CCCN heading No.	Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
	Description			
51.01 (1)	Yarn of man-made fibres (continuous), not put up for retail sale			Manufacture from chemical products or textile pulp
51.02 (1)	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials			
51.03 (1)	Yarn of man-made fibres (continuous), put up for retail sale			

(1) For yarn obtained from two or more textile materials: the provisions appearing in this list shall be applied cumulatively both as regards the heading under which the mixed yarn is classified and for the headings under which yarn of each of the other textiles of which the mixture is composed would be classified.

- on the one hand;

as regards products whose importation can be proved, their customs value at the time of importation;

as regards products of undetermined origin, the earliest ascertainable price paid for such products in the territory of the country where processing takes place;

- and on the other hand,

the ex-works price of the products obtained, less internal taxes refunded or refundable on exportation.

Article 4

The rules laid down for products falling within Chapter 51 or Chapters 53 to 62 of the Common Customs Tariff by Commission Regulations Nos. 1039/71 and 1480/77 are hereby replaced by the rules laid down by this Regulation.

Article 5

This Regulation shall enter into force on

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

Done at

For the Council

For the purpose of implementing Article 2(b), the following shall in any event be considered as insufficient working or processing to confer the status of originating products, irrespective of whether or not there is a change of tariff heading:

(a) operations to ensure the preservation of products in good condition during transport and storage (ventilation, spreading out, drying, removal of damaged parts and like operations);

(b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, cutting up;

(c) (i) changes of packing and breaking up and assembly of consignments,

(ii) simple placing in bags, cases, boxes, fixing on cards or boards etc, and all other simple packing operations;

(d) the affixing of marks, labels or other like distinguishing signs on products or their packaging;

(e) simple assembly of parts of products to constitute a complete product;

(f) a combination of two or more operations specified in (a) to (e).

Article 3

Where Lists A and B referred to in Article 2 provide that products obtained shall be considered as originating only if the value of the products used does not exceed a given percentage of the value of the products obtained, the values to be taken into consideration for determining such percentage shall be:

Whereas experience has shown that the provisions of Commission Regulations Nos. 1039/71 and 1480/77 on certain textile products falling within Chapter 51 or Chapters 53 to 62 may give rise to certain divergences of interpretation ; whereas the said Regulations should be amended accordingly ;

Whereas not having an opinion from the Committee on Origin the Commission has not been able to adopt the provisions wished in relation to the question in accordance with Article 14(3)(a) of the Regulation (EEC) No 802/68, the Commission has applied the provisions of this Article (3)(b) and has submitted to the Council a proposition concerning the provisions to be adopted,

HAS ADOPTED THIS REGULATION:

Article 1

Textile products falling within Chapter 51 or Chapters 53 to 62 of the Common Customs Tariff shall be considered as originating in the country in which they have undergone one complete process within the meaning of Article 2 or in the Community if they have undergone such process there.

Article 2

The following shall be considered as complete working or processing:

(a) working or processing as a result of which the products obtained receive a classification under a tariff heading other than that covering each of the products worked or processed, except, however, working or processing specified in List A, where the special provisions of that list apply;

(b) working or processing specified in List B.

The expressions 'section', 'chapter' and 'tariff heading' shall mean respectively the sections, chapters and tariff headings in the Customs Co-operation Council Nomenclature for the Classification of Goods in Customs Tariffs.

CCNY heading No.	Products obtained	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
53.06 (1)	Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale		Manufacture from products falling within heading No. 53.01 or 53.03

(1) For yarn obtained from two or more textile materials: the provisions appearing in this list shall be applied cumulatively both as regards the heading under which the mixed yarn is classified and for the headings under which yarn of each of the other textiles of which the mixture is composed would be classified.

Coarse heading No.	Products obtained	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
53.07 (1)	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale		Manufacture from products falling within heading No. 53.01 or 53.03
53.08 (1)	Yarn of fine animal hair (carded or combed), not put up for retail sale		Manufacture from raw fine animal hair falling within heading No. 53.02
53.09 (1)	Yarn of horsehair or of other coarse animal hair, not put up for retail sale		Manufacture from raw coars animal hair falling within heading No. 53.02 or from raw horsehair falling with heading No. 05.03
53.10 (1)	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale		Manufacture from products falling within heading No. 05.03 or Nos. 53.01 to 53.09

(1) For yarn obtained from two or more textile materials: the provisions appearing in this list shall be applied cumulatively both as regards the heading under which the mixed yarn is classified and for the headings under which yarn of each of the other textiles of which the mixture is composed would be classified.

CCCN heading No.	Products obtained	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
54.03 (1)	Wax or remie yarn, not put up for retail sale		Manufacture from products falling within heading No. 54.01 or products falling within heading No. 54.02, neither carded nor combed

(1) For yarn obtained from two or more textile materials: the provisions appearing in this list shall be applied cumulatively both as regards the heading under which the mixed yarn is classified and for the headings under which yarn of each of the other textiles of which the mixture is composed would be classified.

18.

CCNY heading No.	Products obtained	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met.
54.04 (1)	Flax or ramie yarn, put up for retail sale		Manufacture from products falling within heading No. 54.01 or 54.02
55.05 (1)	Cotton yarn, not put up for retail sale		Manufacture from products falling within heading No. 55.01 or 55.03
55.06 (1)	Cotton yarn, put up for retail sale		Manufacture from products falling within heading No. 55.01 or 55.03

(1) For yarn obtained from two or more textile materials: the provisions appearing in this list shall be applied cumulatively both as regards the heading under which the mixed yarn is classified and for the headings under which yarn of each of the other textiles of which the mixture is composed would be classified.

CCX heading No.	Products obtained	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
56.01	<p data-bbox="566 1422 598 1590">Description</p> <p data-bbox="686 1232 766 1836">Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning</p>		<p data-bbox="694 268 774 627">Manufacture from chemical products or textile pulp</p>

CCNY heading No.	Products obtained	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
56.02	Description Optimum filament tow for the manufacture of man-made fibres (discontinuous)		Manufacture from chemical products or textile pulp
56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.04	Man-made fibres (discontinuous or waste), corded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp or waste falling within heading No. 56.03
56.05 ⁽¹⁾	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale		Manufacture from products falling within headings No 56.01 to 56.03

(1) For yarn obtained from two or more textile materials: the provisions appearing in this list shall be applied cumulatively both as regards the heading under which the mixed yarn is classified and for the headings under which yarn of each of the other textiles of which the mixture is composed would be classified.

CCCN heading No.	Products obtained	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
56.06 (1)	Yarn of man-made fibres (discontinuous or waste), put up for retail sale		Manufacture from products falling within headings Nos. 56.01 to 56.03
57.06 (1)	Yarn of jute or of other textile bast fibres of heading No. 57.03		Manufacture from raw jute, or other textile bast fibres falling within heading No. 57.03
ex 57.07 (1)	Yarn of true hemp		Manufacture from raw true hemp
ex 57.07 (1)	Yarn of other vegetable textile fibres other than yarn of true hemp		Manufacture from raw vegetable textile fibres falling within heading Nos. 57.02 to 57.04

(1) For yarn obtained from two or more textile materials: the provisions appearing in this list shall be applied cumulatively both as regards the heading under which the mixed yarn is classified and for the headings under which yarn of each of the other textiles of which the mixture is composed would be classified.

CCCI heading No.	Products obtained	Description	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
58.05 (1) ;		Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No. 58.06		Manufacture from yarn
58.06 (1)		Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size		Manufacture from yarn
58.07		Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No. 52.01 and gimped horseshair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like		Manufacture from yarn
58.09		Tulle and other net fabrics (but not including woven knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs		Manufacture from yarn
58.10		Embroidery, in the piece, in strips or in motifs		Manufacture in which the value of the products used does exceed 50% of the value of the finished product

(1) For products obtained from two or more textile materials: the provisions appearing in column 4 are applicable for each of the textile materials of which the mixture is composed

CCNY heading No.	Products obtained	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
	Description		
59.01	Wadding and articles of wadding; textile flock and dust and mill neps		Manufacture from natural textile fibres or man-made fibres
59.02	Felt and articles of felt		Manufacture from natural textile fibres or man-made fibres

OSCI heading No.	Products obtained	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
	Description		
59.03	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics		Manufacture from natural textile fibres or man-made fibres
59.04	Twine, cordage, ropes and cables, plaited or not		Manufacture from natural textile fibres or man-made fibres or coir yarn falling within heading No. 57.07 or yarn falling within heading No. 51.01
59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope		Manufacture from yarn
59.06	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics		Manufacture from natural textile fibres or man-made fibres or coir yarn falling within heading No. 57.07 or yarn falling within heading No 51.01

CCX heading No.	Products obtained Description	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
59.07	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books and the like; treecing cloth; prepared printing canvases; buckram and similar fabrics for hat foundations and similar uses		Manufacture from unbleached fabrics falling within Chapters 50 to 57 or unbleached knitted or crocheted fabric falling within heading No. 60.01
59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials		Manufacture from unbleached fabrics falling within Chapters 50 to 57 or unbleached knitted or crocheted fabric falling within heading No. 60.01
59.10	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not		Manufacture from unbleached fabric falling within Chapters 50 to 57 or unbleached knitted or crocheted fabric falling within heading No. 60.01 or unbleached products fall; within heading No 59.02 or 59.03
ex 59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods, but not including fabrics composed of continuous textile fibres or of parallel yarns of continuous synthetic textile fibres impregnated or covered with latex rubber, containing not less than 90% by weight of textile materials and used in the manufacture of tyres or for other use in machinery and plant		Manufacture from yarn or unbleached fabrics falling within Chapters 50 to 57

CCCN heading No.	Products obtained	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
	Description		
ex 59.11	<p>Rubberized textile fabrics, other than rubberized knitted or crocheted goods, but not including fabrics composed of continuous textile fibres or of parallel yarns of continuous synthetic textile fibres impregnated or covered with latex rubber, containing not less than 90% by weight of textile materials and used in the manufacture of tyres or for other use in machinery and plant</p>		Manufacture from yarn
59.12	<p>Textile fabrics otherwise impregnated or coated; painted canvases being theatrical scenery, studio backcloths or the like</p>		Manufacture from unbleached fabric falling within chapters 50 to 57 or unbleached knitted or crocheted fabric falling within heading No. 60.01
59.13 ⁽¹⁾	<p>Elastic fibres and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads</p>		Manufacture from yarn
59.14	<p>Wicks, of woven, pleated or knitted textile materials, for lamps, stoves, lighters, candles and the like; tubular knitted gas-mantle fabric and incandescent gas mantles</p>		Manufacture from yarn

⁽¹⁾ For products obtained from two or more textile materials: the provisions appearing in column 4 are applicable for each of the textile materials of which the mixture is composed.

CCCN heading No.	Products obtained	Description	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
59.15		Textile hosepipe and similar tubing, with or without lining, armour or accessories of other materials		Manufacture from yarn
59.15		Transmission, conveyor or elevator bolts or bolts of textile material, whether or not strengthened with metal or other material		Manufacture from yarn
ex 59.17		Textile fabrics and textile articles, of a kind commonly used in machinery or plant, but not including polishing discs or rings other than of felt		Manufacture from yarn or natural textile fibres or man-made textile fibres
ex 59.17		Polishing discs or rings other than of felt		Manufacture from yarn or waste fabric or rags fallen within heading No. 63.02
ex Chapter 60		Incomplete or unfinished knitted or crocheted goods or goods knitted or crocheted directly to shape		Manufacture from yarn

CCX heading No.	Products obtained	Description	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
ex 61.01		Men's and boys' outer garments, incomplete or unfinished		Manufacture from yarn
ex 61.02		Women's, girls' and infants' outer garments, incomplete or unfinished		Manufacture from yarn
ex 61.03		Men's and boys' under garments, including collars, shirt fronts and cuffs, incomplete or unfinished		Manufacture from yarn
ex 61.04		Women's, girls' and infants' under garments, incomplete or unfinished		Manufacture from yarn
ex 61.05		Handkerchiefs, not embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40 % of the value of the finished product
ex 61.05		Embroidered handkerchiefs		Manufacture from yarn
ex 61.06		Shawls, scarves, mufflers, mantillas, veils and the like, not embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40 % of the value of the finished product
ex 61.06		Shawls, scarves, mufflers, mantillas, veils and the like, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40 % of the value of the finished product

CCCN heading No.	Products obtained Description	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
ex 61.09	Corsets, corset-belts, suspender-belts, brassieres, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic, incomplete or unfinished		Manufacture from yarn
ex 61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods, incomplete or unfinished		Manufacture from yarn
61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets), incomplete or unfinished		Manufacture from yarn
62.01	Travelling rugs and blankets		Manufacture from yarn
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen, not embroidered; curtains and other furnishing articles not embroidered		Manufacture from yarn
ex 62.02	Bed linen, table linen, toilet linen embroidered; and kitchen linen, curtains and other furnishing articles, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40 % of the value of the finished product

CCNY heading No.	Products obtained	Description	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
62.03	Sacks and bags, of a kind used for the packing of goods			Manufacture from yarn
62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods			Manufacture from yarn
ex 62.05	Other made-up textile articles (including dress patterns), but not including fans and hand screens, their frames and handles, and parts thereof, or such frames and handles, and parts thereof, or floor cloths, dish cloths, dusters and the like			Manufacture in which the value of the products used does not exceed 40% of the value of the finished product
ex 62.0D	Floor cloths, dish cloths, dusters and the like			Manufacture from yarn

LIST B

List of working or processing operations which do not result in a change in the Customs Co-operation Council Nomenclature heading but which do confer the status of originating products on the products undergoing such operations

CCCN heading No.	Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met.
	Description			
ex Chap. 51 and Chap. 53 to 60	Printed or dyed fabrics including knitted and crocheted fabrics			Printing or dyeing accompanied by finishing operations (bleaching, dressing, drying, steaming, burling, mending, impregnating, sanforizing, mercerizing) of unbleached fabrics, including knitted and crocheted fabrics
ex 59.02	Felt and articles of felt; bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, impregnated or coated			Impregnation or coating of felt and articles of felt and of unbleached bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, but not including impregnated or bonded fibre fabrics and similar bonded yarn fabrics carried out for the sole purpose of bonding the fabric
ex 60.02 ex 60.04 ex 60.05 ex 60.06	Knitted or crocheted articles made up by sewing or assembling pieces of knitted or crocheted fabric (whether cut to shape or knitted or crocheted directly to shape)			Complete making-up (1)
ex 61.01 ex 61.02 ex 61.03 ex 61.04 ex 61.09	Articles of apparel and clothing accessories			Complete making-up (1)

(1) 'Complete making-up' shall be taken to mean all the operations following cutting of the fabric or knitting or crocheting of the fabric directly to shape; however, making-up shall not necessarily be considered as incomplete where a finishing operation has not been carried out.

EXPLANATORY MEMORANDUM

1. When adopting the negotiating directives for the new bilateral agreements on the trade in textile products between the Community and a majority of its supplying countries, the Council stressed the need to prevent abuses and deflections of trade which might hinder the proper implementation of the agreements. It was therefore agreed that the Community would introduce, for textile products covered by the MFA, a more effective system of origin control requiring the production of a certificate of origin for the most sensitive products in Groups I and II and a declaration of origin on the invoice for other textile products.
2. The Commission, with technical assistance from experts on the Committee on Origin, has prepared a proposal for a Council Regulation designed to ensure implementation of the directives adopted by the Council.
3. Accordingly, this proposal should be adopted by the Council in time to allow its entry into force on 1 April 1978.

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PROPOSAL FOR COUNCIL REGULATION (EEC)

NO /77 OF

on proof of origin for textile products falling within Chapter 51 or Chapters 53 to 62 of the Common Customs Tariff and imported into the Community, and on the conditions for the acceptance of such proof

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 arrangements to be applied from 1 January 1978 to textile products falling within Chapter 51 or Chapters 53 to 62 of the Common Customs Tariff and imported into the Community include quantitative limits established or agreed with certain third countries which supply the Community; whereas in addition all imports of the said textile products are subject to a system of surveillance;

Whereas it is necessary, by means of appropriate control measures, to forestall any deflection of trade or abuse which could hamper the application of these arrangements; whereas a system for control of the origin of textile products imported into the Community should therefore be set up;

Whereas, in addition, the introduction of such system of origin control should ensure a better flow of information on imports of textile products into the Community and therefore constitutes an indispensable complement to the system of surveillance of the said imports;

Whereas the certificate of origin represents the most suitable form of documentary evidence for the most sensitive products; whereas in the case of the least sensitive products a declaration of origin on the invoice is sufficient, provided that no systematic abuse is found, to fulfil the aims of control,

HAS ADOPTED THIS REGULATION:

Article 1

At importation into the Community, the textile products falling within Chapter 51 or Chapters 53 to 62 of the Common Customs Tariff must be accompanied by proof of origin in accordance with the procedures set out below.

Article 2

The products listed in Annex I to this Regulation must be accompanied by a certificate of origin conforming to the provisions of Article 9 of Council Regulation (EEC) No 802/68 of 27 June 1968.

Article 3

1. The products listed in Annex II to this Regulation must be accompanied by a declaration by the exporter or supplier on the invoice or other similar commercial document relating to the products to the effect that the products in question originate in the third country where the declaration was drawn up and comply with the criteria for determining origin referred to in Article 5(1) of this Regulation.
2. Notwithstanding paragraph 1 above, certificates of origin may be issued for these products on the conditions specified in Article 2.
3. Notwithstanding the production of the declaration of origin referred to in paragraph 1, the competent authorities may, if there is cause for serious doubt, demand any additional proof with the object of ensuring that the declaration of origin conforms to the rules laid down in Article 5 of this Regulation.

Article 4

1. Should it be found in one or more Member States that there are repeated irregularities in or abuse of the declarations of origin referred to in Article 3 which have been drawn up in certain third countries for certain products listed in Annex II, the Commission shall decide in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68 to re-introduce, for the products and third countries in question, the requirement that a certificate of origin be produced in accordance with Article 2.

2. For the purpose of applying paragraph 1, Member States shall notify the Commission of any repeated irregularities in or abuse of the declarations of origin referred to in Article 3.

Article 5

The certificates and declarations of origin referred to above may be accepted only if they fulfil the criteria for determining origin fixed for these products by the legislation in force in the Community.

Article 6

Where different criteria for determining origin are established for products falling within the same heading of the Customs Co-operation Council Nomenclature, certificates or declarations must contain a description of the goods in sufficient detail to allow it to be seen which criterion was the base upon which the certificate or declaration was issued or drawn up.

Article 7

The certificates or declarations of origin shall be issued or drawn up in the country where the goods originate. However, certificates of origin issued in a country other than the country of origin may be accepted provided that no quantitative limit, as regards either the country of origin or the country where the certificate of origin is issued, is established or agreed for the products in question.

Article 8

Movement certificates EUR 1 and certificates of origin Form A produced at the time of importation into the Community in order to obtain tariff preference shall be accepted in place of the proof of origin referred to in Article 1

Article 9

Member States shall notify the Commission of measures taken for the purposes of applying this Regulation.

Article 10

This Regulation shall enter into force on 1 April 1978.

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

Done at

For the Council

The President