



COMMISSION OF THE EUROPEAN COMMUNITIES

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COM(97) 104 final

97/0086 (ACC)

Proposal for a

COUNCIL REGULATION (EC)

amending Annexes II and III to Regulation (EC) No 519/94 on common rules for imports
from certain third countries

(presented by the Commission)

Explanatory Memorandum

On 29 January 1997¹ the Commission forwarded to the Council a report on the quantitative quotas and surveillance measures, applicable to certain non-textile products originating in the P. R. of China, introduced under Council Regulation (EC) No 519/94 of 7 March 1994², last amended by Regulation (EC) No 1897/96 of 1 October 1996³.

The attached proposal contains the practical amendments to Regulation (EC) No 519/94 stemming from the conclusions drawn by the Commission in that report:

- abolition of the quota on Glass tableware (CN code 7013) (this product being however subjected to surveillance measures);
- exclusion of "parts and accessories of toys" from the quota on Toys (CN codes 9503 41 + 9503 49 + 9503 90);
- abolition of surveillance measures on 4 products of which imports in 1995 were negligible or down on 1994 (certain food preparations, certain glass products, not alloyed zinc and car radios).

1 COM (97) 11
2 OJ L 67, 10.3.1994, p.89.
3 OJ L 250, 2.10.1996, p.1.

Proposal for a
Council Regulation (EC) No .../97
of ... 1997

amending Annexes II and III to Regulation (EC) No 519/94 on common rules for imports
from certain third countries

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas Council Regulation (EC) No 519/94 of 7 March 1994¹ on common rules for
imports from certain third countries, as last amended by Regulation (EC) No 1897/96 of
1 October 1996², introduced in respect of the People's Republic of China the quotas listed
in Annex II to this Regulation and surveillance measures listed in Annex III thereto;

Whereas in establishing the quotas, the Council's objective was to strike a balance
between an appropriate level of protection for the Community industries concerned and
maintenance of an acceptable level of trade with the P. R. of China, taking into account
the various interests in play;

Whereas analysis of the main economic indicators, in particular the volume and market
share of Chinese imports, leads to the conclusion that the quota on glass tableware falling
within HS/CN code 7013 should be abolished and that such abolition would be neither
inconsistent with the above objective nor liable to disrupt the Community market;

Whereas the products in respect of which the quota is abolished by this Regulation
should, however, be subject to prior Community surveillance; in order to ensure adequate
monitoring of the volume and prices of the imports of the products concerned;

Whereas the quota on toys falling within HS/CN code 9503 41, 9503 49 and 9503 90
includes parts and accessories of toys; whereas in light of the experience of the
Community producers the effects of this inclusion go beyond what is necessary for the
appropriate protection of the Community industry concerned; whereas parts and
accessories of toys should therefore be excluded from the quota;

¹ OJ L 67, 10.3.1994, p. 89

² OJ L 250, 2.10.1996, p.1.

Whereas it is no longer considered necessary to maintain surveillance measures on a range of products of which the imports in 1995 were negligible or lower than in 1994 and they should be removed from the list of products subject to surveillance measures;

Whereas the quantitative quotas and the surveillance measures introduced under Regulation (EC) No 519/94 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 519/94 shall be replaced by the Annex which appears in Annex I to this Regulation.

Article 2

Annex III to Regulation (EC) No 519/94 shall be replaced by the Annex which appears in Annex II to this Regulation.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*. It shall be applicable from 1 January 1997.

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

ANNEX I

ANNEX II

List of quotas for certain products originating in China

Description of products	HS/CN Code	Quotas (annual basis)
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	39 151 481 pairs
	6403 51 6403 59	2 795 000 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	12 120 000 pairs
	ex 6404 11 ⁽²⁾	18 228 780 pairs
	6404.19 10	31 897 716 pairs
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	45 800 tonnes
Ceramic tableware, kitchenware, other than of porcelain or china falling within HS/CN code	6912 00	34 650 tonnes
Toys falling within HS/CN codes	ex 9503 41 ⁽³⁾ ex 9503 49 ⁽³⁾ ex 9503 90 ⁽³⁾	1 056 996 632 ECU

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

(2) Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

(3) Excluding parts and accessories

ANNEX II

ANNEX III

List of products originating in the People's Republic of China subject to Community surveillance

Description	HS/CN code
Ammonium chloride	2827 10
Other polyhydric alcohols of CN code	2905 49 90
Citric acid	2918 14
Tetracyclines and their derivatives	ex 2941 30
Chloramphenicol	ex 2941 40
Basic dyes and preparations based thereon	3204 13
Vat dyes and preparations based thereon	3204 15
Fireworks, signalling flares, rain rockets, fog signals and other pyrotechnic articles	3604
Polyvinyl alcohol	3905 30
Footwear falling within HS/CN codes	6402 19 ex 6402 99 ⁽¹⁾ 6403 19 ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾ ex 6404 11 ⁽²⁾
Ornamental ceramic articles of porcelain	ex 6913 10
Glassware falling within HS/CN code	7013 ⁽³⁾
Toys falling within HS/CN codes	9503 30
Puzzles	9503 60
Parts and accessories of toys falling within HS/CN code	ex 9503 41 ex 9503 49 ex 9503 90
Playing cards	9504 40
Articles falling within HS/CN codes	9603 29 9603 30 9603 40 9603 90

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

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

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

(3) Excluding glass-fronted clip-frames, consisting of a mechanically-gathered glass sheet with worked edges, a printed paper sheet and a piece of hardboard to support the picture, held together by clips of base metal'.

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