

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(76) 442 final

~~BRN~~ Brussels, 8 September 1976

PROPOSAL FOR A COUNCIL REGULATION

amending Regulation (EEC) No 495/76 concerning
import arrangements for certain textile products
originating in Hong Kong

(submitted by the Commission to the Council)

COM(76) 442 final

EXPLANATORY MEMORANDUM

1. By Regulation (EEC) No 495/76 of 2 March 1976 the Council established import arrangements for certain textile products originating in Hong Kong with a view to the application of the Agreement negotiated between the Community and Hong Kong on trade in these products, which was formally concluded by Council Regulation (EEC) No 903/76 of 8 April 1976.

2. Articles 1(1) and 2(2) of Regulation (EEC) No 495/76 refer to imports "during 1976 and 1977". However, this wording does not altogether comply with the principle laid down by the Agreement referred to above and adopted in Article 1(4) of the Regulation concerned, according to which the quantitative limits refer to imports of products exported during 1976 and 1977. It is therefore necessary to amend the text of Articles 1(1) and 2(2) of Regulation (EEC) No 495/76 as proposed in the draft regulation annexed hereto.

3. On 13 and 14 April 1976 consultations were held at the request of Hong Kong to establish whether certain categories of product referred to by the Agreement include babies' garments. The result of these consultations was a mutually acceptable solution comprising:

- (a) an agreed interpretation of the text of the Agreement according to which
 - (i) babies' garments are excluded from Categories 3, 6, 8, 9, 10, 11 and 13;
 - (ii) infants' and babies' garments are excluded from Category 4;
 - (iii) the Category 5 sub-item "infants' garments" includes babies' garments;
 - (iv) Category 16 includes shirts and like articles for babies;
 - (v) the word "infants" in Category 20 includes babies and this category includes in particular pyjamas and other night garments for babies;

(b) the amendment of the quantitative limits fixed in the Agreement for Categories 3, 13, 16 and 21.

4. During the consultations it was agreed that the two parties should apply the above conclusions without amending the text of the Agreement. To this end the Council has only to adapt the Annexes to its Regulation No 495/76, by adopting the regulation which is the subject of this proposal.

5. In the preamble and Article 1 of the abovementioned textile Agreement between the Community and Hong Kong, reference is made to the Arrangement regarding International Trade in Textiles and in particular to the rights deriving from it. Article 12(1) of this Arrangement excludes, inter alia, products of silk or of flax.

Consequently, in the Regulation implementing the Agreement between the Community and Hong Kong, the categories should be defined in such a manner as to exclude these products. However, the product descriptions and the Nimex codes appearing in Annexes A and B to Regulation (EEC) No 495/76 do not indicate that they are excluded, and the relevant adjustments are provided for in the regulation which is the subject of this proposal.

PROPOSAL FOR
A COUNCIL REGULATION
amending Regulation (EEC) No 495/76 concerning import
arrangements for certain textile products originating
in Hong Kong

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 text of Council Regulation (EEC) No 495/76 of 2 March 1976 concerning import arrangements for certain textile products originating in Hong Kong¹ should specify that the quantitative limits for imports laid down thereby relate to imports of products exported during 1976 and 1977;

Whereas in accordance with Article 4 of the Agreement between the European Economic Community and Hong Kong on trade in textile products² consultations were held between the parties concerning the items covered by certain categories of products caught by the Agreement and the special arrangements for imports into Ireland; whereas at the close of these consultations mutually acceptable solutions were adopted concerning the items covered by certain product categories, the adaptation of certain quantitative limits fixed by the Agreement and the immediate removal of certain restrictions imposed by Ireland;

Whereas the Community should implement the conclusions of these consultations; whereas it is therefore necessary to make certain amendments to the said Regulation (EEC) No 495/76;

¹OJ No L 59, 6.3.1976, p. 44.

²OJ No L 108, 26.4.1976, p. 1.

Whereas taking into account the provisions of Article 12 of the Arrangement regarding International Trade in Textiles on which the said Agreement between the EEC and Hong Kong is based, this Agreement does not apply to textile products of silk or of flax; whereas it is necessary to provide in Regulation (EEC) No 495/76 implementing the abovementioned Agreement that these products are excluded,

HAS ADOPTED THIS REGULATION:

Article 1

1. Article 1(1) of Council Regulation (EEC) No 495/76 is hereby amended as follows:
"Imports into the Community of the textile products listed in Annex A originating in Hong Kong which are exported from that territory in 1976 and 1977 shall be subject to the quantitative limits agreed for the Community with the Government of Hong Kong and set out in that Annex."
2. Article 2(2) of Council Regulation (EEC) No 495/76 is hereby amended as follows:
"In the Member States listed in Annex B, imports of the textile products referred to in paragraph 1 which are exported from Hong Kong in 1976 and 1977 shall be subject to the quantitative limits set out in that Annex."

Article 2

1. Annex A to Council Regulation (EEC) No 495/76 is hereby replaced by Annex A to this Regulation.
2. Annex B to Council Regulation (EEC) No 495/76 is hereby replaced by Annex B to this Regulation.

Article 3

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

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

Done at Brussels,

For the Council
The President

ANNEX A

Quantitative limits referred to in Article 1

Category	CCT heading No	NIMEXE code (1976)	Description	Units	Quantitative limits	
					1976	1977
1	ex 55.09 56.07	55.09-01; 02; 11; 12; 13; 14; 15; 16; 17; 19; 21; 29; 31; 33; 35; 37; 38; 39; 41; 49; 68; ex 71; 72; 73; 74; 76; 77; 78 56.07-ex 01; ex 03; 04; 11; 17; 24; 32	Other woven fabrics of cotton : — Unbleached or bleached Woven fabrics of man-made fibres (discontinuous or waste): ex A. Of synthetic textile fibres : — Unbleached or bleached	equivalent 1 000 kg (a)	26 865 (b)	27 032 (b)
2	ex 55.09 56.07	55.09-03; 04; 05; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 69; ex 71; 81; 82; 83; 84; 86; 87; 92; 93; 97 56.07-ex 01; ex 03; 05; 07; 08; 13; 14; 16; 18; 21; 23; 26; 27; 28; 33; 34; 36	Other woven fabrics of cotton : — Other than unbleached and bleached Woven fabrics of man-made fibres (discontinuous or waste): ex A. Of synthetic textile fibres : — Other than unbleached and bleached	equivalent 1 000 kg (a)	11 455 (c)	11 214 (c)

(a) Equivalent weight means the weight obtained on dividing the total area of the fabric in m² by the average area of the fabric in m² per kg. For this purpose the average area per kg is to be taken as follows:

- woven fabrics of cotton: 5 m² per kg,
- woven fabrics of synthetic textile fibres (discontinuous or waste): 6 m² per kg,
- woven fabrics of synthetic textile fibres (continuous): 8 m² per kg.

(b) The limits established under this category also cover in respect of the United Kingdom imports of the products falling within Common Customs Tariff heading No 51.04: Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02: ex A. Woven fabrics of synthetic textile fibres — unbleached or bleached, there being a sub-limit for the United Kingdom on products of Common Customs Tariff subheadings 56.07 ex A and 51.04 ex A.

(c) The limits established under this category also cover in respect of the United Kingdom imports of the products falling within Common Customs Tariff heading No 51.04: Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02: ex A. Woven fabrics of synthetic textile fibres — other than unbleached or bleached, there being a sub-limit for the United Kingdom on products of Common Customs Tariff subheadings 56.07 ex A and 51.04 ex A.

Category	CCT heading No	NIMEXE code (1976)	Description	Units	Quantitative limits	
					1976	1977
3	ex 60.04	60.04-ex 13; ex 24; ex 35; 41; ex 45; ex 59; ex 70, ex 80	Undergarments, knitted or crocheted, not elastic or rubberized: — Shirts/undervests, T-shirts, singlets and the like, except babies garments other than of silk or noil or other waste silk or of flax or ramie	1 000 units (a)	21 539	24 324
4	60.05	60.05-ex 01; ex 22; ex 23; ex 24; ex 25; ex 29 31; 32; 33; 34; ex 39	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: ex A. Outer garments and clothing accessories: other than of silk or noil or other waste silk or of flax or ramie — Jerseys and pullovers, slipovers, twinsets cardigans, bed jackets and jumpers with the exception of those which form part of a combination set of category No 5 and those which are infants' (including babies') garments	1 000 items	29 032	33 244
5	60.05	60.05-ex 01, 02 03; 05; ex 09; 11; 13; ex 15; ex 16; ex 17; ex 19; ex 22; ex 23; ex 24; ex 25; ex 29; 41; 42; 43; 44; ex 49; 51; 52; 54; ex 59; 61; 62; ex 69; 71; 72; 73; 74; ex 75; 78; ex 79; ex 81; ex 82; ex 83; ex 84; ex 85	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: ex A. Outer garments and clothing accessories, other than of silk or noil or other waste silk or of flax or ramie: — Infants' (including babies') garments — Bathing costumes and trunks — Dresses — Skirts — Combination sets (including costumes) (b)	1 000 kg (c)	3 233,2	3 475 (d)
6	ex 61.01 61.02	61.01-ex 11; ex 41; ex 45; ex 49 61.02-ex 11; ex 41; ex 43; ex 45; ex 47; ex 49	men's and boys' outer garments: — Raincoats of the overcoat type other than of silk or noil or other waste silk or of flax or ramie Women's girls' and infants' outer garments: ex B. Other than babies' garments: — Raincoats of the overcoat type other than of silk or noil or other waste silk or of flax or ramie	1 000 items	2,895,1	2 736

(a) Shirts, undervests and T-shirts are regarded as a unit each, singlets are regarded as half a unit.

(b) A knitted combination set consists of two or three pieces, including a top garment and a knitted lower garment, which are contracted for, packed, consigned and sold together.

(c) This weight is to be taken as that of the textile components of the garments concerned

(d) The limits established under this category also cover, in respect of the United Kingdom, imports of all other outer garments and clothing accessories classified under CCT heading No 60.05 other than those specified under category 5 and category 4

Category	CCT heading No	NIMEXE code (1976)	Description	Units	Quantitative limits	
					1976	1977
7	ex 61.01	61.01-51;53;55; 57; ex 59;71; 73;75;77; ex 79	Men's and boys' outer garments other than of silk or noil or other waste silk or of flax or ramie : - Suits - Jackets, blazers and the like	1 000 units (a)	12 365,5	12 519
8	ex 61.01 61.02	61.01-61;63;65;67 ex 69 61.02-ex91; ex 93; ex 95; ex 96; ex 98; ex 99	Men's and boys' outer garments : - Trousers, breeches and the like , other than of silk or noil or other waste silk or of flax or ramie Women's, girls' and infants' outer garments : ex B. Other than babies' garments : - Trousers, /including jeans, shorts and the like, other than of silk or noil or other waste silk or of flax or ramie	1 000 pairs	52,597	54 926
9	61.02	61.02-ex 41; ex 43; ex 45; ex 47; ex 49	Women's, girls' and infants' outer garments : ex B. Other than babies' garments : - Coats and jackets except articles of category No 6, of silk or noil or other waste silk or of flax or ramie	1 000 items	4 602,3	5 088
10	61.02	61.02-63; 65; 66; 67; ex 69; 71; 73; 75; 77; ex 79	Women's, girls' and infants' outer garments : ex B. Other than babies' garments : - Dresses other than of silk or noil or other waste silk or of flax or ramie - Skirts /including di- vided skirts /other than of silk or noil or other waste silk or of flax or ramie	1 000 items	12 003	13 170
11	61.02	61.02-83; 85;87; ex 89	Women's girls' and infants' outer garments : ex B. Other than babies' garments : - Shirts and blouses , other than of silk or noil or other waste silk or of flax or ramie	1 000 items	23 880,5	24 963
12	ex 61.03	61.03-11; 15; ex 19	Men's and boys' under garments, including collars, shirt fronts and cuffs : - Shirts, other than of silk or noil or other waste silk or of flax or ramie	1 000 items	66 390	65 103

a) One suit shall be reckoned as two articles.

Category	CCT heading No	NIMEXE code (1976)	Description	Units	Quantitative limits	
					1976	1977
13	ex 61.03 ex 61.04	61.03-ex 31; ex 35; ex 39 61.04-ex 11; ex 15; ex 19	Men's and boys' under garments, including collars, shirt fronts and cuffs: — Pyjamas and other night garments, other than of silk or noil or other waste silk or of flax or ramie Women's, girls' and infants' under garments: — Pyjamas, nightdresses and other night garments, except babies garments, other than of silk or noil or other waste silk or of flax or ramie	1 000 items	11 889,4	13 467
14	62.02	62.02-11, ex 17, 41; 43; ex 47; ex 65; 71; 73; ex 77	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles: ex B. Other than net curtains: - Other than of silk or noil or other waste silk or of flax or ramie: - Bed linen - Table linen - Toilet linen and kitchen linen	1 000 kg	6 725,3	6 588

ANNEX B

Quantitative limits referred to in Article 2

Category	CCT heading No	NIMEXE code (1976)	Description	Member State	Units	Quantitative limits	
						1976	1977
15	ex 60.02	60.02 ex 40 60 70	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized: - Gloves, other than of silk or noil or other waste silk or of flax or ramie, impregnated or coated with artificial plastic materials - Other - Of synthetic textile fibres - Of cotton	Benelux (a) France, Italy	1 000 pairs	2 622 229 564	2 540 222 573
16	ex 60.04	60.04-11; 15 ex 24; 26; 27; ex 29; 31; 33; ex 34; ex 35; ex 45; 52; 54; 56; ex 59; ex 70; ex 80;	Under garments, knitted or crocheted, not elastic or rubberized: - Other than men's and boys' drawers and briefs, articles of category No. 3, and other than of silk or noil or other waste silk or of flax or ramie	Germany, United Kingdom	1 000 kg	351 835	379 793
17	ex 61.01 61.02	61.01-ex 11; ex 41; ex 45; ex 49 61.02-ex 11; ex 41; ex 43; ex 45; ex 47; ex 49	Men's and boys' outer garments: - Waterproof garments and raincoats, other than raincoats of the overcoat type of category No 6, and articles of silk or noil other waste silk or of flax or ramie Women's, girls' and infants' outer garments: ex B. Other than babies' garments: - Waterproof garments and raincoats other than raincoats of the overcoat type of category Nos 6 and 9, and articles of silk or noil or other waste silk or of flax or ramie	United Kingdom	1 000 items	1 686	1 710

(a) For Benelux only Nimexe heading 60.02-40 is covered by this restriction

Category	CCT heading No	NIMEXE code (1976)	Description	Member State	Units	Quantitative limits	
						1976	1977
18	ex 61.01 61.02	61.01-21; ex 29 61.02-21; ex 23	Men's and boys' outer garments: — Work clothing other than of silk or noil or other waste silk of of flax or ramie Women's, girls' and infants' outer garments: ex B. Other than babies' garments: — Work clothing, other than of silk or noil or other waste silk or of flax or ramie	United Kingdom	1 000 items	2 453	2 352
19	ex 61.01 61.02	61.01-31; 35; ex 39 61.02-31, 32; 34; 35; ex 37; ex 38	Men's and boys' outer garments: — Articles of apparel used for sports, other than of silk or noil or other waste silk or of flax or ramie Women's, girls' and infants' outer garments: ex B. Other than babies' garments: — Articles of apparel used for sports, other than of silk or noil or other waste silk or of flax or ramie	United Kingdom	1 000 items	470	455
20	ex 61.01 ex 61.02	61.01-ex 41; ex 45; ex 49; 91; 93; 95; 97; ex 99 61.02-01; ex 09; 51; 53; 55; 57; ex 59; ex 91; ex 93; ex 95; ex 96; ex 98; ex 99	Men's and boys' outer garments: — Other than articles of category Nos 6, 7, 8, 17, 18 and 19 and articles of silk or noil or other waste silk or of flax or ramie Women's, girls' and infants' outer garments: — Other than articles of category Nos 6, 8, 9, 10, 11, 17, 18 and 19 and articles of silk or noil or other waste silk or of flax or ramie	United Kingdom	1 000 kg	3 131	3 033

Category	CCT heading No	NIMEXE code (1976)	Description	Member State	Units	Quantitative limits	
						1976	1977
21	ex 61.03	61.03-ex 31; ex 35;ex 39	Men's and boys' under garments, including collars, shirt fronts and cuffs: — Other than shirts, pyjamas and other night garments and articles of silk or noil or other waste silk or of flax or ramie	United Kingdom	1 000 items	4 946	4 762
	ex 61.04	61.04-ex 11; ex 15;ex 19; 91;95;ex 99	Women's girls' and infants' under garments: — Other than articles of category No 13 and articles of silk or noil or other waste silk or of flax or ramie				