Commission Regulation (EC) No 35/2006 of 11 January 2006 amending Annexes I, V and VII to Council Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries

COMMISSION REGULATION (EC) No 35/2006

of 11 January 2006

amending Annexes I, V and VII to Council Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries[(1)], and in particular Article 19 thereof,

Whereas:

(1) For the implementation of the Memorandum of Understanding between the European Commission and its Chinese counterpart it is necessary to reintroduce the original provisions under Annex I regarding the product description.

(2) The Council has approved by Decision 2005/948/EC[(2)] the signing and the provisional application of a bilateral agreement between the European Community and the Republic of Belarus on trade in textile products.

(3) Regulation (EEC) No 3030/93 should therefore be amended accordingly.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee set up by Article 17 of Regulation (EEC) No 3030/93,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3030/93 is amended as follows:

1. in Annex I, paragraph 2 is replaced by the following:

2. When the constitutive material of the products of categories 1 to 114 originating in Vietnam and China is not specifically mentioned, these products shall be taken to be made exclusively of wool of or fine animal hair, of cotton or of man-made fibres.;

2. Annex V is replaced by the text in Annex I to this Regulation;

3. in Annex VII, the table is replaced by the table in Annex II to this Regulation.

Article 2

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

Changes to legislation: Commission Regulation (EC) No 35/2006 is up to date with all changes known to be in force on or before 09 February 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

It shall apply with effect from 1 January 2006.

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

Done at Brussels, 11 January 2006.

For the Commission

Peter MANDELSON

Member of the Commission

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ANNEX I

Annex V to Regulation (EEC) No 3030/93 is replaced by the following:

ANNEX VCOMMUNITY QUANTITATIVE LIMITS(a)applicable for the year 2006Quantitative restrictions for Serbia do not apply pursuant to the Agreement between the European Community and Serbia on trade in textile products (OJ L 90, 8.4.2005, p. 36). The European Community retains the right to reapply quantitative restrictions under certain circumstances.Quantitative restrictions for Vietnam are suspended pursuant to the Agreement between the European Community and the Government of the Socialist Republic of Vietnam on market access (OJ L 75, 22.3.2005, p. 35). The European Community retains the right to reapply quantitative restrictions under certain circumstances.(The complete description of the goods is shown in Annex I)Community quantitative limitsThird countryCategoryUnit2006BelarusGROUP IA1tonnes1 5852tonnes6 0003tonnes242GROUP IB41 000 pieces1 67251 000 pieces1 10561 000 pieces1 55071 000 pieces1 25281 000 pieces1 160GROUP IIA9tonnes36320tonnes32922tonnes52423tonnes25539tonnes241GROUP IIB121 000 pairs5 959131 000 pieces2 651151 000 pieces1 569161 000 pieces186211 000 pieces930241 000 pieces84426/271 000 pieces1 117291 000 pieces468731 000 pieces32983tonnes184GROUP IIIA33tonnes38736tonnes1 30937tonnes46350tonnes207GROUP IIIB67tonnes356741 000 pieces37790tonnes208GROUP IV115tonnes95117tonnes2 100118tonnes471SerbiaGROUP IA1tonnes2tonnes2atonnes3tonnesGROUP IB51 000 pieces61 000 pieces71 000 pieces81 000 piecesGROUP IIA9tonnesGROUP IIB151 000 pieces161 000 piecesGROUP IIIB67tonnesVietnamGROUP IB41 000 pieces51 000 pieces61 000 pieces71 000 pieces81 000 piecesGROUP IIA9tonnes20tonnes39tonnesGROUP IIB121 000 pairs131 000 pieces141 000 pieces151 000 pieces18tonnes211 000 pieces261 000 pieces281 000 pieces291 000 pieces311 000 pieces68tonnes731 000 pieces76tonnes78tonnes83tonnesGROUP IIIA35tonnes41tonnesGROUP IIIB101 000 pairs97tonnesGROUP IV118tonnesGROUP V161tonnes(b)applicable for the years 2005, 2006 and 2007Imports into the Community of products which were shipped to the Community before 11 June 2005 but presented for free circulation on or after that date shall not be subject to quantitative limits. Import authorisations for such products shall be granted automatically and without quantitative limits by the competent authorities of the Member States, upon adequate proof, such as the bill of lading, and the presentation of a signed declaration by the importer, that the goods have been shipped to the Community before that date. By way of derogation of Article 2(2) of Regulation (EEC) No 3030/93, imports of goods shipped before 11 June 2005 shall also be released for free circulation upon the presentation of a surveillance document issued in accordance with Article 10a(2a) of Regulation (EEC) No 3030/93.Import authorisations for goods shipped to the Community between 11 June 2005 and 12 July shall be granted automatically and cannot be denied on the grounds that there are no quantities available within the 2005 quantitative limits. However, the import of all products shipped from 11 June 2005 will be counted against the 2005 quantitative limits.The granting of import authorisations will not require the presentation of the corresponding export licenses for goods shipped to the Community before China has put in place its export licensing system (20 July 2005).Applications for import licences for the import, from the date of entry into force of this Regulation, of goods that have been shipped between 11 June 2005 and 19 July 2005 (inclusive) shall be presented to the competent authorities of a Member State no later than 20 September 2005.Goods shipped before 12 July do not need to have been shipped directly to the Community to benefit from the exemption of quantitative limits, although the competent authorities of the Community may deny such benefits if they have reasons to suspect that they have been shipped to another destination before 12 July in order to circumvent this Regulation, in case such transactions do not respond to normal business practices or purely logistical reasons. By way of example, are considered as corresponding to a normal conduct of business goods shipped to distribution centres for the importing companies,

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or when the importer can present a contract or letter of credit preceding the date of shipment, or when the goods have been transhipped outside China onto another means of transport within a reasonably short period of time.The increases to the agreed levels introduced by the Regulation are made available to enable the issuance of import licences for goods shipped to the Community between 13 and 19 July 2005, or for goods shipped to the Community after 20 July 2005 with a valid Chinese export licence, which are in excess of the agreed levels introduced by Commission Regulation (EC) No 1084/2005 (OJ L 177, 9.7.2005, p. 19) in Annex V to Regulation (EEC) No 3030/93.Should any goods shipped to the Community between 13 and 19 July 2005 exceed these levels, the Commission may authorise the issuance of further import licences after informing the Textiles Committee, and after effecting the transfer of 2 072 924 kg of products of category 2 as provided for in Annex VIII.See Appendix A.(The complete description of the goods is shown in Annex I)Agreed levelsThird countryCategoryUnit11 June to 31 December 200520062007ChinaGROUP IA2 (including 2a)tonnes20 21261 94869 692GROUP IB41 000 pieces161 255540 204594 22551 000 pieces118 783189 719219 67461 000 pieces124 194338 923382 88071 000 pieces26 39880 49388 543GROUP IIA20tonnes6 45115 79517 77039tonnes5 52112 34913 892GROUP IIB261 000 pieces8 09627 00129 701311 000 pieces108 896219 882248 261GROUP IV115tonnes2 0964 7405 214

AppendixCategoryUnitThird countryRemarks4ChinaFor the purpose of setting off exports against the agreed levels a conversion rate of five garments (other than babies' garments) of a maximum commercial size of 130 cm for three garments whose commercial size exceeds 130 cm may be applied for up to 5 % of the agreed levels.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"

ANNEX II

In Annex VII to Regulation (EEC) No 3030/93 the table is replaced by the following:

TABLE

COMMUNITY QUANTITATIVE LIMITS FOR GOODS REIMPORTED UNDER OPT

Community quantitative limits			
Third country	**Category**	**Unit**	**2006**
Belarus	GROUP IB		
	4	1 000 pieces	5 055
	5	1 000 pieces	7 047
	6	1 000 pieces	9 398
	7	1 000 pieces	7 054
	8	1 000 pieces	2 402
	GROUP IIB		

a Quantitative restrictions for Serbia do not apply pursuant to the Agreement between the European Community and Serbia on trade in textile products (OJ L 90, 8.4.2005, p. 36). The European Community retains the right to reapply quantitative restrictions under certain circumstances.

b Quantitative restrictions for Vietnam are suspended pursuant to the Agreement between the European Community and the Government of the Socialist Republic of Vietnam on market access (OJ L 75, 22.3.2005, p. 35). The European Community retains the right to reapply quantitative restrictions under certain circumstances.