COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.01.1996
COM(96) 23 final

96/0021 (ACC)

Proposal for a

COUNCIL REGULATION (EC)

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

(presented by the Commission)

Explanatory memorandum

On 6 December 1995[1] the Commission sent the Council a report on the quantitative quotas and surveillance measures introduced under Council Regulation (EC) No 519/94 of 7 March 1994[2] .

This proposal for a Regulation contains the practical amendments proposed by the Commission in that report:

- abolition of the quota on fashion gloves (CN codes 4203 29 91 and 4203 29 99) and the quota on non-combined car radios (CN code 8527 29);

- fusion of three toys quotas into one (CN codes 9503 41, 9503 49 and 9503 90);

- a 10% increase in the size of the quotas, apart from that for footwear, where the increase should be restricted to 2% because of the particularly sensitive nature of this sector;

- abolition of surveillance measures on 11 products of which imports in 1994 were negligible or down on 1993 (roasted chicory, other roasted coffee substitutes, chromium trioxide, monothioles, reactive dyes, other colouring matter, pipes, conduits, etc., flags and paving, carboys, bicycles, and brooms and brushes).

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1 COM(95) 614

2 OJ L 67, 10.3.1994, p.89.

Proposal for
Council Regulation (EC) No /96
of ...1996
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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 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) Nos 1765/82, 1766/82 and 3420/83 introduced in respect of the People's Republic of China the quantitative quotas listed in Annex II to this Regulation and surveillance measures listed in Annex III thereto[1];

Whereas in establishing the size of 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 China, taking into account the various interests in play;

Whereas in the light of the experience acquired in implementing the quotas, the situation of the Community producers concerned indicates that an adjustment of the quotas would be appropriate and would be neither inconsistent with the above objective nor liable to disrupt the Community market; whereas in the case of shoes the sensitive nature of the industry indicates that an increase smaller than that for other products is in order;

Whereas analysis of the main economic indicators, in particular the levels of Community production and consumption, suggests that the quota for gloves falling within HS/CN codes 4203 29 91 and 4203 29 99 and that for non-combined car radios falling within HS/CN code 8527 29 could be abolished;

1 OJ L 67, 10.3.1994, p. 89.

Whereas the three quotas for toys falling within HS/CN headings 9503 41, 9503 49 and 9503 90 should be fused into one, so introducing greater flexibility in the implementation of the quotas to the benefit of the economic operators concerned;

Whereas it is no longer necessary to maintain surveillance measures on a range of products of which the imports in 1994 were negligible or lower than in 1993; whereas, with a view to simplifying administration, they should be removed from the list of products subject to surveillance measures;

Whereas the quantitative quotas and surveillance measures introduced under Regulation (EC) No 519/94 should therefore be amended as set out in the annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

Annex III to Regulation (EC) No 519/94 shall be replaced by 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 1996.

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*	39.935.000	pairs
	6403 51 6403 59	2.795.000	pairs
	ex 6403 91* ex 6403 99*	12.120.000	pairs
	ex 6404 11*	18.595.000	pairs
	6404 19 10	32.535.000	pairs
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	48.000	tonnes
Ceramic tableware, kitchenware, other than of porcelain or china falling within HS/CN code	6912 00	36.300	tonnes
Glassware of a kind used for table, kitchen, toilet, etc. falling within HS/CN code	7013	15.600	tonnes
Radio-broadcast receivers falling within HS/CN code	8527 21	2.450.000	units
Toys falling within HS/CN codes	9503 41 9503 49 9503 90	1.160.000.000	ECU

* Excluding :

a) footwear which is designed for a sporting activity and has, or has provision for the attachment of spikes, sprigs, stops, clips, bars 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.

ANNEX II

Annex III

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

Description	**HS/CN code**
Food preparations falling within HS/CN codes	1901 90 91
	1901 90 99
Ammonium chloride	2827 10 00
Other polyhydric alcohols	2905 49 90
Citric acid	2918 14 00
Tetracyclines and their derivatives	2941 30 00
Chloramphenicol	2941 40 00
Basic dyes and preparations based thereon	3204 13 00
Vat dyes and preparations based thereon	3204 15 00
Pyrotechnic articles	3604
Polyvinyl alcohols	3905 20 00
Footwear falling within HS/CN codes	6402 19
	ex 6402 99*
	6403 19
	ex 6403 91*
	ex 6403 99*
	ex 6404 11*
Ornamental articles of porcelain	6913 10
Other glass falling within HS/CN code	7004 90
Zinc, not alloyed, containing by weight less than 99.99% of zinc	7901 12
Toys falling within HS/CN codes	9503 30
	9503 60
Playing cards	9504 40
Brooms and brushes falling within HS/CN codes	9603 29
	9603 30
	9603 40
	9603 90

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* a) footwear which is designed for a sporting activity and has, or has provision for the attachment of spikes, sprigs, stops, clips, bars 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.

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