

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 420 final

Brussels, 11 September 1978

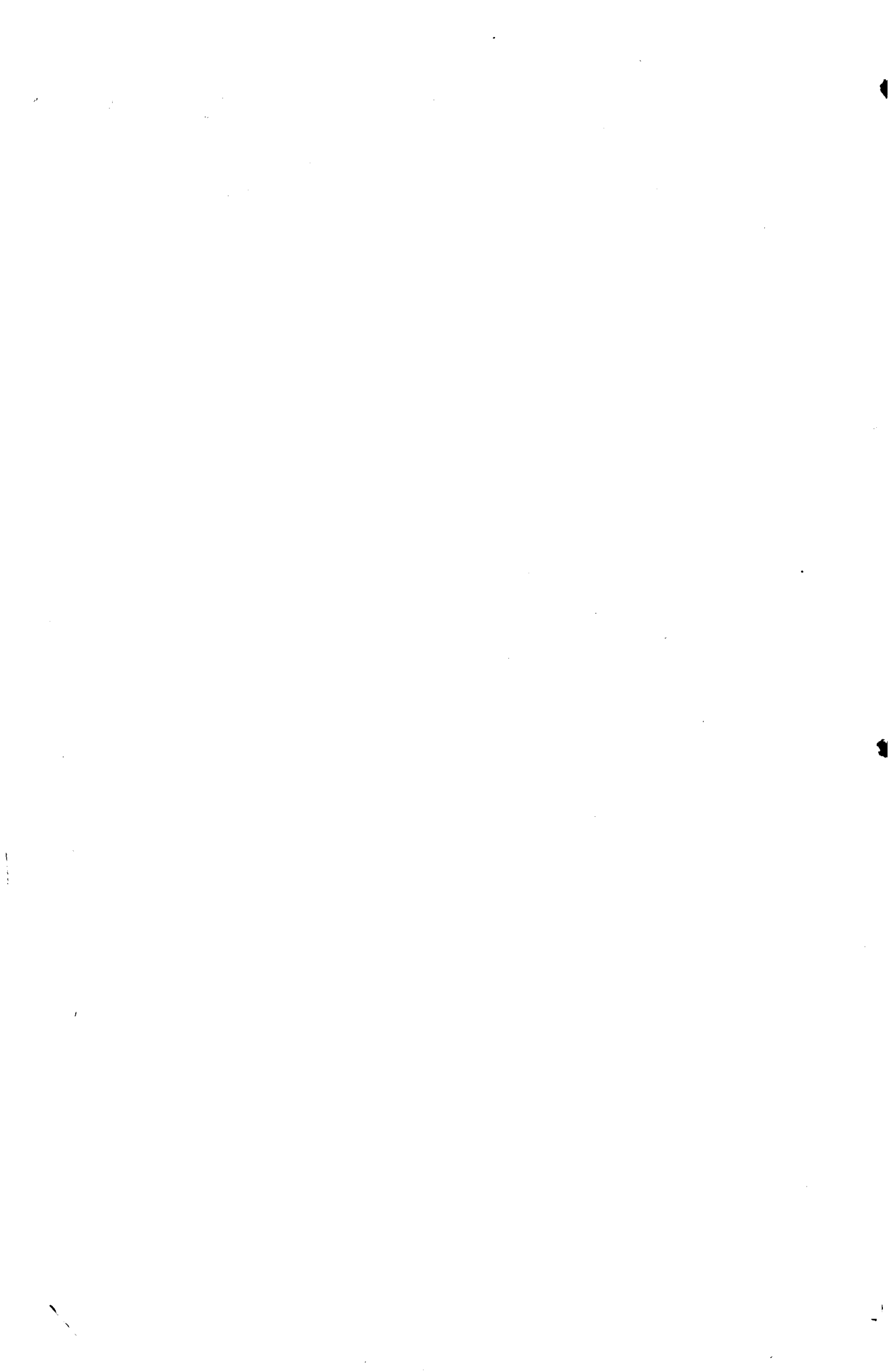
Proposal for a

COUNCIL REGULATION (EEC)

on the application of Decision No of the
Council of Association EEC-Turkey relating to
proof of origin for certain textile products
exported by Turkey

(submitted by the Commission to the Council)

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EXPLANATORY NOTE

Under the terms of the Multifibre Arrangement (MFA) importations into the EEC of textile products originating in various third countries are subject to systems of quantitative restriction or import surveillance (depending on the particular third country of origin).

By virtue of the EEC-Turkey Association Agreement goods exported from Turkey to the EEC can be imported at zero or preferential rates of duty. As the terms of the Association Agreement establish the setting up of a Customs Union between the EEC and Turkey, the preferential rates of duty apply equally to goods originating in Turkey as well as to non-Turkish goods in free circulation there.

There is therefore a risk that textile products originating in countries subject to the Multifibre Arrangement and which are in free circulation in Turkey, may be imported into the Community under the terms of the EEC-Turkey Association Agreement. These importations would therefore evade the control systems (quantitative restrictions or import surveillance) set up under the Multifibre Arrangement in respect of such products.

The Council of Association EEC-Turkey has therefore to adopt Decision attached to the proposal for Regulation which will bring importations of certain textile products from Turkey into conformity with the existing Community system of control of origin for these goods. The Decision introduces a simplified procedure for the control of origin taking into account the special nature of the trade within the framework of the EEC-Turkey Association Agreement.

Proposal for Council Regulation (EEC) No 178
on the application of Decision No of the Council of Association EEC-Turkey
relating to proof of origin for certain textile products exported by Turkey

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 an Association Agreement between the European Economic Community and
Turkey was signed on 12 September 1963 and entered into force on 17 November
1964;

Whereas, having regard to the need to prevent deflections of trade
and abuses in respect of certain textile products, the Council of Association
EEC-Turkey has adopted Decision No ;

Whereas the Decision should be made operative in the Community,

HAS ADOPTED THIS REGULATION :

Article 1

For the purpose of implementing the Association Agreement between the European Economic Community and Turkey, Decision No of the Council of Association annexed to this Regulation shall be applicable in the Community.

Article 2

This Regulation shall enter into force on 15 August 1978.

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

Done at Brussels,

For the Council

The President

EEC-TURKEY ASSOCIATION AGREEMENT

THE COUNCIL OF ASSOCIATION

COUNCIL OF ASSOCIATION DECISION NO. 178

relating to proof of origin for certain textile products exported by Turkey

THE COUNCIL OF ASSOCIATION,

Having regard to the Association Agreement, and the additional Protocol thereto,

Whereas deflections of trade and abuses in respect of the textile products falling within Chapter 51 and Chapters 53 to 62 of the Common Customs Tariff should be prevented by appropriate verification measures; whereas the introduction, to that end, of a system of verification of origin under the Agreement would prove useful for a limited period;

Whereas, moreover, the establishment and application of such a system will not constitute a measure equivalent to a quantitative restriction forbidden by the Association Agreement as regards the importation of Turkish textiles products into the Community;

Whereas it is necessary to have the power to apply the import regime applicable to the country of origin, if this is not Turkey,

HAS DECIDED AS FOLLOWS:

Article 1

On entering the Community, textile products listed in the Annex and originating in Turkey or in free circulation in Turkey must be accompanied by evidence of their origin according to the following rules:

1. For products originating in Turkey, movement certificates A.TR.1 or A.TR.3, issued in Turkey, shall contain certification of origin. This certification shall consist of the words "Turkish origin" in the "Remarks" box on movement certificates A.TR.1 or A.TR.3, validated by the stamp and signature of the competent authority.

The origin thus certified must comply with the criteria for the determination of origin laid down by the Community.

2. As regards the import of textile products in free circulation in Turkey not originating in Turkey, evidence of origin shall be subject to the rules in force in the Community.

Article 2

The Community may submit the products referred to in Article 1 (2) to the import regime applicable in respect of their country of origin, without prejudice to the application of the tariff regime of the Association Agreement.

Article 3

The verification procedure laid down in Article 11 of Decision No 5/72 of the Council of Association shall apply to the certification mentioned in Article 1 (1).

Article 4

This Decision shall enter into force on 15 August 1978.

Textile products exported from Turkey before that date shall not be affected by the provisions of this Decision.

This Decision shall be applicable for a period of one year. It shall be renewed by tacit agreement for further periods of one year unless this is opposed by either party one month before its expiry.

For the Council of Association

The President

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