

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 766 final

Brussels, 15 December 1981

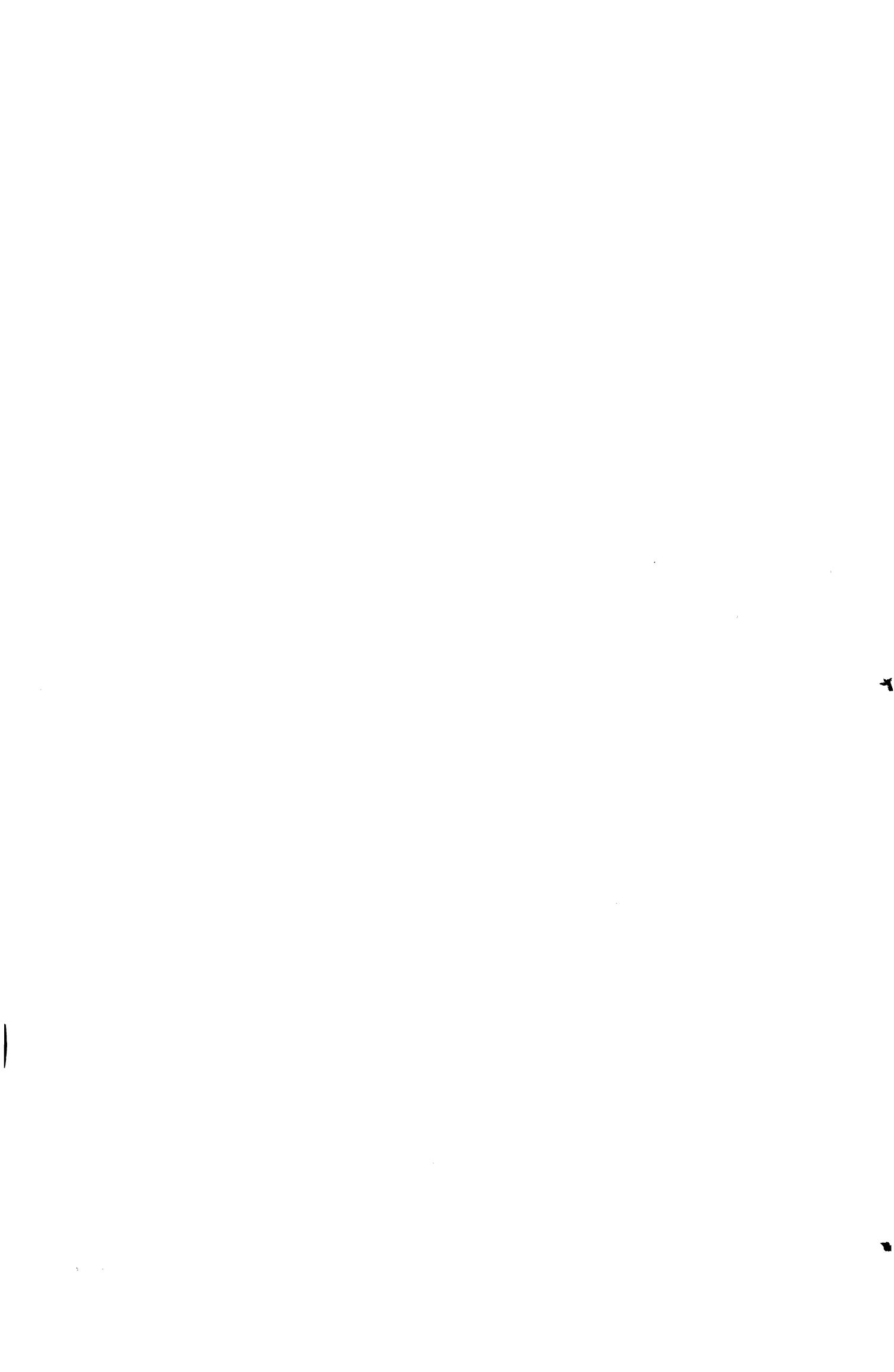
## PROPOSAL FOR A COUNCIL REGULATION (EEC)

concerning the indication of the origin of certain textile  
products imported from third countries

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(presented by the Commission to the Council)

COM(81) 766 final



## EXPLANATORY MEMORANDUM

A tendency towards regulating the origin marking of certain textile and clothing products consigned from third countries at national level has become manifest recently in some Member States. It cannot but disturb the admission of these products to the Common Market and have an effect on their diffusion in the market, if no action is taken.

There is in consequence a need to lay down appropriate rules at community level.

Such rules will make a contribution to an enhanced transparency of the market for these products and, in so doing, meet the legitimate interests concerned. Furthermore they will make it possible to avoid the repeated application of national controls after these products have been put into free circulation in the common market.

With the aim of reducing the administrative requirements inherent in the obligations to be fulfilled to the minimum which is necessary, these rules are based on :

- a determination of their origin according to the regulations in force;
- control of the origin indication to be the responsibility of the Member State in whose territory the product is put into free circulation, independent of their final destination for sale to consumers;
- non-applicability to products in transit or entering under an inward processing regime;
- non-applicability to products which are the result of outward processing traffic, such products being covered by the provisions of a special regime;
- flexibility in the application of the rules.

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COUNCIL REGULATION EEC N°

of

concerning the indication of the origin of certain textile product  
imported from third countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the treaty establishing the European Economic Community,  
particularly Article 113 thereof

Having regard to the proposal of the Commission

Whereas the disparity between the Member States' rules on the indication of  
the origin of textile and clothing products from third countries is liable  
to hinder trade in these products, both as regards their admission to the  
Common Market and as regards their movement in the Community after being put  
into free circulation in a Member State;

Whereas it is necessary, in order to put right this situation, to lay down  
common rules for origin indications and whereas such rules will enhance the  
transparency of the Community's external trade in this sector, while at the  
same time improving the functioning of the internal market;

Whereas, however, textile and clothing products produced by outward processing  
should be exempt from the provisions of this negotiation, since specific provi-  
sion is made for such products under EEC regulation n° ... (1);

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(1) O.J. ....

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Whereas, so as to reduce formalities to the minimum that is necessary, checking of the origin indication should be carried out only by the Member State where the products in question are put into free circulation;

HAS ADOPTED THIS REGULATION

ARTICLE 1

1. Subject to the following provisions of this regulation, articles of clothing and finished textile products set out in the Annex to this regulation which are imported from third countries shall not be put into free circulation in a Member State unless they bear an indication of their country of origin.
2. The origin of the products referred to in paragraph 1 shall be determined in accordance with the provisions of Council regulation (EEC) n° 802/68 (1) of 27 June 1968, concerning the common definition of the concept of the origin of goods and of Commission regulation (EEC) n° 749/73 of 10 April 1981 (2) on the determination of the origin of textile and clothing products and its amendments.
3. This regulation shall not apply to the products in question made by outward processing traffic in accordance with Council regulation (EEC) n° ... (3) of .... 1981.

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(1) OJ L 148 of 23.6.1968

(2) OJ L 101 of 14.4.1978

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ARTICLE\_2

Checking of the origin indication required by this regulation shall only be carried out by the Member State in whose territory the articles covered by this regulation are put into free circulation, whatever the final destination of these articles.

ARTICLE\_3

1. The origin indication shall be affixed to the product itself, or, in the case of articles which are separately wrapped, the origin indication may be shown on the wrapping.
2. The indication of origin shall be displayed in typographic characters which are easily legible and clearly visible. They shall be clearly separated from any other indication or information with the exception of trade marks and trade-names. However if the trade-mark or trade-name comprises in noun, adjective or root form any indication which could be confused with the indication of origin, the indication of the trade-mark or trade-name should be clearly separate.
3. Two or several products which are habitually offered for sale as one unit may be provided with only one indication of origin.

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ARTICLE 4

The indication shall be given in a language generally used in international trade for labelling purposes or in that or those of the country in which the product is put into free circulation.

ARTICLE 5

The Commission shall determine such measures for the application of this regulation as may be necessary.

ARTICLE 6

This regulation comes into force on .....(a date six months after adoption).

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

Done at Brussels, .....

For the Council,

The President.

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List of textile products to which this regulation applies.

N° of the Common Custom Tariff	NIMEXE Code	Description
60.02	60.02 - 40 to 80	<p style="text-align: center;"><u>Knitted or crocheted goods :</u></p> <p style="text-align: center;">-----</p> Gloves, mittens and mitts, knitted or crocheted, not elastic nor rubberised
60.03	60.03 - 11 to 90	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic nor rubberised
60.04	60.04 - 02 to 90	Under garments, knitted or crocheted, not elastic nor rubberised
60.05	60.05 - 01 to 99	Outer garments and other articles, knitted or crocheted, not elastic nor rubberised
60.06	60.06 - 91	Knitted or crocheted fabrics and articles thereof, elastic or rubberised (including elastic knee-caps and elastic stocking) other : Bathing costumes
61.01	61.01 - 01 to 98	<p style="text-align: center;"><u>Apparel and clothing accessories</u></p> Men's and boys' outer garments
61.02	61.02 - 01 to 94	Women's and girls' and infants' outer garments
61.03	61.03 - 11 to 89	Men's and boys' under garments, including collars, skirt fronts and cuffs
61.04	61.04 - 01 to 98	Women's, girls' and infants' under garments
61.05	61.05 - 20 to 99	Handkerchiefs

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N° of the Common Custom Tariff	NIMEXE Code	Description
61.06	61.06 - 10 to 90	Shawls, scarves, muffles, mantillas, veils and the like
61.07	61.07 - 10 to 90	Ties, bow ties and cravats
61.09	61.09 - 20 to 80	Corsets, corsets belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted and crocheted fabric) whether or not elastic.
61.10	61.10 - 00	Shoes, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods.
		<u>Other made up textile articles</u>
62.01	62.01 - 10 to 99	Travelling rugs and blankets
62.02	62.02 - 01 to 89	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles.

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