

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 192 final

Brussels, 18th April 1979

PROPOSAL FOR A COUNCIL REGULATION (EEC)  
ON ARRANGEMENTS FOR THE IMPORTATION  
INTO THE BENELUX COUNTRIES OF JUTE  
YARN ORIGINATING IN INDIA

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(submitted to the Council by the Commission)

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## EXPLANATORY MEMORANDUM

I. An Agreement is in force between the European Economic Community and the Republic of India on trade and commercial cooperation in jute products. It came into force on 1 January 1976 and is due to expire on 31 December 1979.

The Agreement provides inter alia for quantitative limits on exports from India of certain types of fabric. Jute yarn is also covered by the Agreement but is not subject to quantitative restrictions. The Agreement provides, however, that when in the Community's view the conditions prevailing in its market, or in the markets of any of its Member States, are such that a limitation on further trade in yarn is necessary, where the level of imports has exceeded an indicative level laid down in the Agreement, the Community may request consultations with a view to reaching a mutually satisfactory solution to the question.

II. The indicative level fixed for the Benelux countries is 640 tonnes, but from 1976 onwards imports into the Benelux countries of jute yarn from India rose substantially: from 762 tonnes in 1976 through 3 128 tonnes in 1977, rising to 3 870 tonnes for the first nine months of 1978. The forecasts for the remainder of that year pointed to an even steeper rise in imports, and the Benelux countries therefore asked for consultations with India to find an acceptable level for imports of jute yarn from India. The necessary evidence was produced in support of the request (rapidly falling production in the industry, effect of such a situation on the workforce).

III. In the light of this situation the Community asked India, in accordance with the Agreement, to open consultations with a view to limiting India's exports of jute yarn to the Benelux countries. Consultations duly took place in November and December of last year.

The outcome of the consultations was that India was prepared to limit its exports of jute yarn (CCT heading No 57.06) to the Benelux countries at a level of 13 000 tonnes for the period from 1 January 1978 to 31 December 1979. It was also provided that the quantitative limit thus established was to be administered by the double checking system laid down in the Agreement for exports of jute products already subject to voluntary restraint (woven fabrics of jute of a width of over 150 cm: categories 4/5 and 7).

IV. In view of the need to implement within the Community the arrangements arrived at as a result of the consultations, it is proposed that the Council adopt the regulation annexed hereto.

COUNCIL REGULATION (EEC)

on arrangements for the importation into the  
Benelux countries of jute yarn originating  
in India

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 Council Regulation (EEC) No 1439/74 of 4 June 1974 on  
common rules for imports<sup>1</sup>, and in particular Article 13 thereof,

After consulting the Advisory Committee set up by Article 5 of the  
aforementioned Regulation,

Having regard to the proposal from the Commission,

Whereas an Agreement on trade and commercial cooperation in jute products  
has been concluded between the European Economic Community and the  
Republic of India<sup>2</sup>;

Whereas, as regards imports into the Community or any of its markets of  
jute yarn from India, which are not subject to quantitative restrictions,  
the said Agreement provides that the Community may request consultations  
with India aimed at limiting trade in this product where such limitation  
appears necessary and imports have exceeded an indicative level established  
in the Agreement;

Whereas, since imports of jute yarn into the Benelux countries had considerably  
exceeded the indicative level, the Community requested  
consultations with India with a view to reaching an arrangement limiting  
the imports in question;

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<sup>1</sup>OJ No L 159, 15.6.1974, p. 1.

<sup>2</sup>OJ No L 17, 21.1.1978, p. 5.

Whereas the consultations resulted in an undertaking by the Indian Government to establish voluntary restraint, in accordance with the relevant provisions of the Agreement, in respect of exports to the Benelux countries of "yarn of jute or of other textile bast fibres of heading No 57.03", falling within heading No 57.06 of the Common Customs Tariff, for the period from 1 January 1978 to 31 December 1979;

Whereas the effectiveness of the voluntary export restraint measures introduced by the Indian authorities depends on the Community's establishing a system of supervision; whereas, in order for such a system to be instituted, imports into the Benelux countries of the products in question originating in India must be subject to authorization;

Whereas products entering the Benelux countries under inward processing or other temporary admission arrangements and intended for re-export from the customs territory of the Community in the same state or after processing should not be counted against the quantitative limit established,

HAS ADOPTED THIS REGULATION:

Article 1

1. The importation into the Benelux countries of the following products originating in India and shipped to those countries between 1 January 1978 and 31 December 1979 shall be subject to the presentation of an import authorization issued by the competent authorities in the Benelux countries within the quantitative limits agreed between the European Economic Community and the Republic of India and shown below:

CCT heading No	NIMEXE-Code 1978-1979	Description	Units	Quantitative limit 1.1.1978 to 31.12.1979
57.06	57.06; 11; 15; 30	Yarn of jute or of other textile bast fibres of heading No 57.03	Tonnes	13 000

2. The competent authorities of the Benelux countries shall authorize imports of the products referred to in paragraph 1 automatically and without delay, within the quantitative limits established, on presentation by the importer of . export authorization issued by the competent authorities of the Republic of India and containing the details indicated in the Annex to this Regulation.

3. When issuing import authorization, the competent authorities of the Benelux countries shall take into account the quantities already covered by import authorizations issued before the entry into force of this Regulation, in respect of quantities of the product in question shipped from India to the Benelux countries after 1 January 1978.

#### Article 2

Products imported into the Benelux countries under inward processing or other temporary admission arrangements and subsequently re-exported from the customs territory of the Community in the same state or after processing shall not be counted against the quantitative limits referred to in Article 1.

#### 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

Details referred to in Article 1(2)

Export authorizations issued by the Indian authorities in respect of the products covered by this Regulation shall contain the following particulars:

- (a) the destination (relevant Member State);
  - (b) the serial number;
  - (c) the name and address of the importer;
  - (d) the name and address of the exporter;
  - (e) the net weight (in kilograms or tonnes) and the value;
  - (f) the category and the classification of the product;
  - (g) certification by the Indian authorities stating that the quantity has been counted against the agreed quantitative limits for exports to the Member States concerned or that, where appropriate, it is for immediate re-export or for inward processing and subsequent re-export outside the Community;
  - (h) the year during which the products were exported, i.e. were placed on board in India for export to the Benelux countries.
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