

Commission Regulation (EC) No 1402/2007 of 28 November 2007
laying down rules for the management and distribution of textile quotas
established for the year 2008 under Council Regulation (EC) No 517/94

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules⁽¹⁾, and in particular Article 17(3) and (6) and Article 21(2) thereof,

Whereas:

- (1) Regulation (EC) No 517/94 established quantitative restrictions on imports of certain textile products originating in certain third countries to be allocated on a first come, first served basis.
- (2) Under that Regulation it is possible, in certain circumstances, to use other allocation methods, to divide quotas into tranches, or to reserve a proportion of a specific quantitative limit exclusively for applications which are supported by evidence of the results of past import performance.
- (3) Rules for management of the quotas established for 2008 should be adopted before the quota year begins so that the continuity of trade flows is not affected unduly.
- (4) The measures adopted in previous years, such as those in Commission Regulation (EC) No 1785/2006 laying down rules for the management and distribution of textile quotas established for the year 2007 under Council Regulation (EC) No 517/94⁽²⁾, proved to be satisfactory and it is therefore appropriate to adopt similar rules for 2008.
- (5) In order to satisfy the greatest possible number of operators it is appropriate to make the 'first come, first served' allocation method more flexible by placing a ceiling on the quantities which can be allocated to each operator by that method.
- (6) To guarantee a degree of continuity in trade and efficient quota administration, operators should be allowed to make their initial import authorisation application for 2008 equivalent to the quantity which they imported in 2007.
- (7) To achieve optimum use of the quantities, an operator who has used up at least one half of the amount already authorised should be permitted to apply for a further amount, provided that quantities are available in the quotas.

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1402/2007. (See end of Document for details)

- (8) For the sake of sound administration, import authorisations should be valid for nine months from the date of issue but only until the end of the year at the latest. Member States should issue licences only after being notified by the Commission that quantities are available and only if an operator can prove the existence of a contract and can certify, in the absence of a specific provision to the contrary, that he has not already been allocated a Community import authorisation under this Regulation for the categories and countries concerned. The competent national authorities should, however, be authorised, in response to importers' applications, to extend by three months and up to 31 March 2009 licences of which at least one half has been used by the application date.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee established by Article 25 of Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

The purpose of this Regulation is to lay down rules on the management of quantitative quotas for imports of certain textile products set out in Annexes III B and IV to Regulation (EC) No 517/94 for the year 2008.

Article 2

The quotas referred to in Article 1 shall be allocated according to the chronological order of receipt by the Commission of Member States' notifications of applications from individual operators, for amounts not exceeding the maximum quantities per operator set out in Annex I.

The maximum quantities shall not, however, apply to operators able to prove to the competent national authorities, when making their first application for 2008, that, in respect of given categories and given third countries, they imported more than the maximum quantities specified for each category pursuant to import licences granted to them for 2007.

In the case of such operators, the competent authorities may authorise imports not exceeding the quantities imported in 2007 from given third countries and in given categories, provided that enough quota capacity is available.

Article 3

Any importer who has already used up 50 % or more of the amount allocated to him under this Regulation may make a further application, in respect of the same category and country of origin, for amounts not exceeding the maximum quantities laid down in Annex I.

Article 4

1 The competent national authorities listed in Annex II may, from 10.00 o'clock a.m. on 4 January 2008, notify the Commission of the amounts covered by requests for import authorisations.

The time fixed in the first subparagraph shall be understood as Brussels time.

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2 The competent national authorities shall issue authorisations only after being notified by the Commission pursuant to Article 17(2) of Regulation (EC) No 517/94 that quantities are available for importation.

They shall issue authorisations only if an operator:

- a proves the existence of a contract relating to the provision of the goods; and
- b certifies in writing that, in respect of the categories and countries concerned:
 - (i) he has not already been allocated an authorisation under this Regulation; or
 - (ii) he has been allocated an authorisation under this Regulation but has used up at least 50 % of it.

3 Import authorisations shall be valid for nine months from the date of issue, but until 31 December 2008 at the latest.

The competent national authorities may, however, at the importer's request, grant a three-month extension for authorisations which are at least 50 % used up at the time of the request. Such extension shall in no circumstances expire later than 31 March 2009.

Article 5

This Regulation shall enter into force on 1 January 2008.

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

Done at Brussels, 28 November 2007.

For the Commission

Peter MANDELSON

Member of the Commission

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ANNEX I

MAXIMUM AMOUNTS REFERRED TO IN ARTICLES 2 AND 3

Country concerned	Category	Unit	Maximum amount
North Korea	1	kilograms	10 000
	2	kilograms	10 000
	3	kilograms	10 000
	4	pieces	10 000
	5	pieces	10 000
	6	pieces	10 000
	7	pieces	10 000
	8	pieces	10 000
	9	kilograms	10 000
	12	pairs	10 000
	13	pieces	10 000
	14	pieces	10 000
	15	pieces	10 000
	16	pieces	10 000
	17	pieces	10 000
	18	kilograms	10 000
	19	pieces	10 000
	20	kilograms	10 000
	21	pieces	10 000
	24	pieces	10 000
	26	pieces	10 000
	27	pieces	10 000
	28	pieces	10 000
	29	pieces	10 000
	31	pieces	10 000
	36	kilograms	10 000
	37	kilograms	10 000
	39	kilograms	10 000
59	kilograms	10 000	
61	kilograms	10 000	
68	kilograms	10 000	

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69	pieces	10 000
70	pieces	10 000
73	pieces	10 000
74	pieces	10 000
75	pieces	10 000
76	kilograms	10 000
77	kilograms	5 000
78	kilograms	5 000
83	kilograms	10 000
87	kilograms	10 000
109	kilograms	10 000
117	kilograms	10 000
118	kilograms	10 000
142	kilograms	10 000
151A	kilograms	10 000
151B	kilograms	10 000
161	kilograms	10 000

ANNEX II

List of Licensing offices referred to in Article 4

1. **Austria**

Bundesministerium für Wirtschaft und Arbeit

Außenwirtschaftsadministration

Abteilung C2/2

Stubenring 1

A-1011 Wien

Tel. (43-1) 711 00-0

Fax (43-1) 711 00-8386

2. **Belgium**

FOD Economie, KMO,

Middenstand en Energie

Economisch Potentieel

*Status: Point in time view as at 28/11/2007.**Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1402/2007. (See end of Document for details)***KBO-Beheerscel — Vergunningen**

Leuvenseweg 44

B-1000 Brussel

Tel. (32-2) 277 67 13

Fax (32-2) 277 50 63

SPF économie, PME, classes moyennes et énergie

Potentiel économique

Cellule de gestion BCE — Licences

Rue de Louvain 44

B-1000 Bruxelles

Tél. (32-2) 277 67 13

Fax (32-2) 548 65 70

3. Bulgaria

Министерство на икономиката и енергетиката

Дирекция „Регистриране, лицензиране и контрол“ ул. „Славянска“ № 8

BG-1052 София

Република България

Тел.	(359-2) 940 70 08/(359-2) 940 76 73/ (359-2) 940 78 00
Факс	(359-2) 981 50 41/(359-2) 980 47 10/ (359-2) 988 36 54

4. Cyprus

Ministry of Commerce, Industry and Tourism

Trade Department

6 Andrea Araouzou Str.

CY-1421 Nicosia

Tel: ++357 2 867100

Fax: ++357 2 375120

5. Czech Republic

Ministerstvo průmyslu a obchodu

Licenční správa

Na Františku 32

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CZ-110 15 Praha 1

Tel.: (420) 224 90 71 11

Fax: (420) 224 21 21 33

6. **Denmark**

Erhvervs- og Byggestyrelsen

Økonomi- og Erhvervsministeriet

Langelinje Allé 17

DK-2100 København Ø

Tlf. (45) 35 46 60 30

Fax (45) 35 46 60 29

7. **Estonia**

Majandus- ja Kommunikatsiooniministeerium

Harju 11

EE15072 Tallinn

Estonia

Tel.: (372) 625 6400

Fax: (372) 631 3660

8. **Finland**

Tullihallitus

PL 512

FI-00101 Helsinki

Tel.: (358-9) 61 41

Fax: (358-20) 492 28 52

Tullstyrelsen

PB 512

FI-00101 Helsingfors

Tel.: (358-9) 61 41

Fax (358-20) 492 28 52

9. **France**

Ministère de l'économie, des finances et de l'emploi

Direction générale des entreprises

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Service des industries manufacturières et des activités postales (SIMAP)

Bureau textile-importations

Le Bervil

12, rue Villiot

F-75572 Paris Cedex 12

Tél. (33) 153 44 96 60

Fax (33) 153 44 91 81

10. **Germany**

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)

Frankfurter Str. 29—35

D-65760 Eschborn

Tel.: (49 61 96) 9 08-0

Fax: (49 61 96) 9 42 26

11. **Greece**

Υπουργείο Οικονομίας και Οικονομικών

Γενική Διεύθυνση Διεθνούς Οικονομικής Πολιτικής

Διεύθυνση Καθεστώτων Εισαγωγών-Εξαγωγών, Εμπορικής

Άμυνας

Κορνάρου 1

GR-105 63 Αθήνα

Τηλ. (30210) 328 6021-22

Φαξ: 210 328 60 94

12. **Hungary**

Magyar Kereskedelmi Engedélyezési Hivatal

Margit krt. 85.

H-1024 Budapest

Postafiók: 1537 Budapest Pf. 345.

Tel.: (36-1) 336 73 00

Fax: (36-1) 336 73 02

13. **Ireland**

Department of Enterprise, Trade and Employment

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Internal Market

Kildare Street

IRL-Dublin 2

Tel. (353-1) 631 21 21

Fax (353-1) 631 28 26

14. **Italy**

Ministero del Commercio con l'estero

Direzione generale per la Politica commerciale e per la gestione del regime degli scambi

DIV. III

Viale America 341

I-00144 Roma

Tel. (39) 06 59 64 75 17, 06 59 93 22 02/22 15

Fax (39) 06 59 93 22 35/22 63

Telex (39) 06 59 64 75 31

15. **Latvia**

Ekonomikas ministrija

Brīvības iela 55

LV-1519 Rīga

Tel: (371) 701 30 06

Fax: (371) 728 08 82

16. **Lithuania**

Lietuvos Respublikos ūkio ministerija

Gedimino pr. 38/2

LT-01104 Vilnius

Tel.: (370-5) 262 87 50/(370-5) 261 94 88

Faks.: (370-5) 262 39 74

17. **Luxembourg**

Ministère des affaires étrangères

Office des licences

Boîte postale 113

L-2011 Luxembourg

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Tél. (352) 47 82-371

Fax (352) 46 61-38

18. **Malta**

Ministry for Competitiveness and Communication

Commerce Division, Trade Services Directorate Lascaris

Valletta CMR02

Malta

Tel: (356) 21 237 112

Fax: (356) 21 237 900

19. **Netherlands**

Belastingdienst/Douane Centrale dienst voor in- en uitvoer

Engelse Kamp 2

Postbus 30003

9700 RD Groningen

Nederland

Tel. (31-50) 523 91 11

Fax (31-50) 523 22 10

20. **Poland**

Ministerstwo Gospodarki

pl. Trzech Krzyży 3/5

PL-00-950 Warszawa

Tel: (0048) 22 693 55 53

Fax: (0048) 22 693 40 21

21. **Portugal**

Ministério das Finanças

Direcção-Geral das Alfândegas e dos Impostos Especiais sobre o Consumo

Rua da Alfândega, 5 – r/c

P-1149-006 Lisboa

Tel.: (351) 218 81 37 00

Fax: (351) 218 81 39 90

E-mail: dsl@dgaiec.min-financas.pt

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22. **Romania**
Ministerul Întreprinderilor Mici și Mijlocii, Comerțului, Turismului și Profesiilor Libere
Direcția Generală Politici Comerciale
Str. Ion Câmpineanu nr. 16
București, sector 1
RO-010036
Tel.: (40-21) 315 00 81
Fax: (40-21) 315 04 54
E-mail: clc@dce.gov.ro
23. **Slovakia**
Ministerstvo hospodárstva SR
Oddelenie licencií
Mierová 19
827 15 Bratislava
Slovenská republika
Tel: (421-2) 48 54 20 21/48 54 71 19
Fax: (421-2) 43 42 39 19
24. **Slovenia**
Ministrstvo za finance
Carinska uprava Republike Slovenije
Carinski urad Jesenice
Center za TARIC in kvote
Spodnji Plavž 6c
SI-4270 Jesenice
Slovenija
Tel. (386-4) 297 44 70
Faks (386-4) 297 44 72
E-mail: taric.cuje@gov.si
25. **Spain**
Ministerio de Industria, Turismo y Comercio
Secretaría General de Comercio Exterior

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Paseo de la Castellana, 162

E-28046 Madrid

Tel. (34) 913 49 38 17, 913 49 37 48

Fax (34) 915 63 18 23, 913 49 38 31

26. **Sweden**

National Board of Trade (Kommerskollegium)

Box 6803

S-113 86 Stockholm

Tel.: (46-8) 690 48 00

Fax: (46-8) 30 67 59

27. **United Kingdom**

Department for Business, Enterprise and Regulatory Reform

Import Licensing Branch

Queensway House

West Precinct

Billingham TS23 2NF

Tel. (44-1642) 36 43 33, 36 43 34

Fax (44-1642) 36 42 03

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- (1) [OJ L 67, 10.3.1994, p. 1](#). Regulation as last amended by Regulation (EC) No 1791/2006 ([OJ L 363, 20.12.2006, p. 1](#)).
- (2) [OJ L 337, 5.12.2006, p. 5](#).

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