

**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**

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 <sup>(1)</sup>, 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 <sup>(2)</sup>, 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.
- (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.

<sup>(1)</sup> 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).

<sup>(2)</sup> OJ L 337, 5.12.2006, p. 5.

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.

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
	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

<p><b>1. Austria</b></p> <p>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</p>	<p><b>2. Belgium</b></p> <p>FOD Economie, KMO,          Middenstand en Energie          Economisch Potentieel          KBO-Beheerscel —          Vergunningen          Leuvenseweg 44          B-1000 Brussel          Tel. (32-2) 277 67 13          Fax (32-2) 277 50 63</p>	<p>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</p>
<p><b>3. Bulgaria</b></p> <p>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</p>	<p><b>4. Cyprus</b></p> <p>Ministry of Commerce, Industry and Tourism          Trade Department          6 Andrea Araouzou Str.          CY-1421 Nicosia          Tel: ++357 2 867100          Fax: ++357 2 375120</p>	
<p><b>5. Czech Republic</b></p> <p>Ministerstvo průmyslu a obchodu          Licenční správa          Na Františku 32          CZ-110 15 Praha 1          Tel.: (420) 224 90 71 11          Fax: (420) 224 21 21 33</p>	<p><b>6. Denmark</b></p> <p>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</p>	
<p><b>7. Estonia</b></p> <p>Majandus- ja Kommunikatsiooniministeerium          Harju 11          EE1 5072 Tallinn          Estonia          Tel.: (372) 625 6400          Fax: (372) 631 3660</p>	<p><b>8. Finland</b></p> <p>Tullihallitus          PL 512          FI-00101 Helsinki          Tel.: (358-9) 61 41          Fax: (358-20) 492 28 52</p>	<p>Tullstyrelsen          PB 512          FI-00101 Helsingfors          Tel.: (358-9) 61 41          Fax (358-20) 492 28 52</p>
<p><b>9. France</b></p> <p>Ministère de l'économie, des finances et de l'emploi          Direction générale des entreprises          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</p>	<p><b>10. Germany</b></p> <p>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</p>	

<p><b>11. Greece</b></p> <p>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</p>	<p><b>12. Hungary</b></p> <p>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</p>
<p><b>13. Ireland</b></p> <p>Department of Enterprise, Trade and Employment Internal Market Kildare Street IRL-Dublin 2 Tel. (353-1) 631 21 21 Fax (353-1) 631 28 26</p>	<p><b>14. Italy</b></p> <p>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</p>
<p><b>15. Latvia</b></p> <p>Ekonomikas ministrija Brīvības iela 55 LV-1519 Rīga Tel: (371) 701 30 06 Fax: (371) 728 08 82</p>	<p><b>16. Lithuania</b></p> <p>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</p>
<p><b>17. Luxembourg</b></p> <p>Ministère des affaires étrangères Office des licences Boîte postale 113 L-2011 Luxembourg Tél. (352) 47 82-371 Fax (352) 46 61-38</p>	<p><b>18. Malta</b></p> <p>Ministry for Competitiveness and Communication Commerce Division, Trade Services Directorate Lascaris Valletta CMR02 Malta Tel: (356) 21 237 112 Fax: (356) 21 237 900</p>
<p><b>19. Netherlands</b></p> <p>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</p>	<p><b>20. Poland</b></p> <p>Ministerstwo Gospodarki pl. Trzech Krzyży 3/5 PL-00-950 Warszawa Tel: (0048) 22 693 55 53 Fax: (0048) 22 693 40 21</p>
<p><b>21. Portugal</b></p> <p>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</p>	<p><b>22. Romania</b></p> <p>Ministerul Întreprinderilor Mici și Mijlocii, Comerțului, Turismului și Profesiilor Libérale 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</p>

<p><b>23. Slovakia</b></p> <p>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</p>	<p><b>24. Slovenia</b></p> <p>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</p>
<p><b>25. Spain</b></p> <p>Ministerio de Industria, Turismo y Comercio Secretaría General de Comercio Exterior 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</p>	<p><b>26. Sweden</b></p> <p>National Board of Trade (Kommerskollegium) Box 6803 S-113 86 Stockholm Tel.: (46-8) 690 48 00 Fax: (46-8) 30 67 59</p>
<p><b>27. United Kingdom</b></p> <p>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</p>	