

Commission Regulation (EU) No 1258/2009 of 18 December 2009
laying down rules for the management and distribution of textile quotas
established for the year 2010 under Council Regulation (EC) No 517/94

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 2010 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 1164/2008 of 24 November 2008 laying down rules for the management and distribution of textile quotas established for the year 2009 under Council Regulation (EC) No 517/94⁽²⁾, proved to be satisfactory and it is therefore appropriate to adopt similar rules for 2010.
- (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 2010 equivalent to the quantity which they imported in 2009.
- (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.

Status: Point in time view as at 18/12/2009.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EU) No 1258/2009. (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 2011 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 Annex IV to Regulation (EC) No 517/94 for the year 2010.

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 2010, 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 2009.

In the case of such operators, the competent authorities may authorise imports not exceeding the quantities imported in 2009 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 percent 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 a.m. on 7 January 2010, 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.

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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;
 - (ii) he has been allocated an authorisation under this Regulation but has used up at least 50 percent of it.

3 Import authorisations shall be valid for nine months from the date of issue, but until 31 December 2010 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 percent used up at the time of the request. Such extension shall in no circumstances expire later than 31 March 2011.

Article 5

This Regulation shall enter into force on 1 January 2010.

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

Done at Brussels, 18 December 2009.

For the Commission

The President

José Manuel BARROSO

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ANNEX I

MAXIMUM AMOUNTS REFERRED TO IN ARTICLES 2 AND 3

Country concerned	Category	Unit	Maximum amount
Belarus	1	Kilograms	20 000
	2	Kilograms	80 000
	3	Kilograms	5 000
	4	Pieces	20 000
	5	Pieces	15 000
	6	Pieces	20 000
	7	Pieces	20 000
	8	Pieces	20 000
	15	Pieces	17 000
	20	Kilograms	5 000
	21	Pieces	5 000
	22	Kilograms	6 000
	24	Pieces	5 000
	26/27	Pieces	10 000
	29	Pieces	5 000
	67	Kilograms	3 000
	73	Pieces	6 000
	115	Kilograms	20 000
117	Kilograms	30 000	
118	Kilograms	5 000	
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

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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	8 000
109	Kilograms	10 000
117	Kilograms	10 000
118	Kilograms	10 000
142	Kilograms	10 000

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151A	Kilograms	10 000
151B	Kilograms	10 000
161	Kilograms	10 000

ANNEX II

List of Licensing offices referred to in Article 41. **Austria**

Bundesministerium für Wirtschaft, Familie und Jugend
 Außenwirtschaftsadministration
 Abteilung C2/2
 Stubenring 1A-1011 Wien
 Tel. +43 1711000
 Fax +43 1711008386

2. **Belgium**

FOD Economie, Kmo, Middenstand en Energie
 Economisch Potentieel
 KBO-Beheerscel – Vergunningen
 Leuvenseweg 44
 1000 Brussel
 BELGIË
 Tel. +32 22776713
 Fax +32 22775063
 SPF Économie, PME, Classes moyennes et Énergie
 Potentiel économique
 Cellule de gestion BCE – Licences
 Rue de Louvain 44
 1000 Bruxelles, BELGIQUE
 Tél. +32 2277613
 Fax +32 22775063

3. **Bulgaria**

Министерство на икономиката, енергетиката и туризма

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Дирекция „Регистриране, лицензиране и контрол“

ул. „Славянска“ № 8

1052 София

Тел.:	+359 29407008 / +359 29407673 / +359 29407800
Факс:	+359 29815041 / +359 29804710 / +359 29883654

4. **Cyprus**

Ministry of Commerce, Industry and Tourism

Trade Department

6 Andrea Araouzou Str.

1421 Nicosia

Τηλ. +357 2867100

Φαξ +357 2375120

5. **Czech Republic**

Ministerstvo průmyslu a obchodu

Licenční správa

Na Františku 32

110 15 Praha 1

Česká republika

Tel.: +420 224907111

Fax: +420 224212133

6. **Denmark**

Erhvervs- og Byggestyrelsen

Økonomi- og Erhvervsministeriet

Langelinje Allé 17

2100 København

DANMARK

Tlf.: +45 35466030

Fax +45 35466029

7. **Estonia**

Majandus- ja Kommunikatsiooniministeerium

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Harju 11
EST-15072 Tallinn
Estonia
Tel. +372 6256400
Fax +372 6313660

8. **Finland**

Tullihallitus
PL 512
FI-00101 Helsinki
Puh. +358 96141
Faksi +358 204922852
Tullstyrelsen
PB 512
FI-00101 Helsingfors
Tel. +358 96141
Fax +358 204922852

9. **France**

Ministère de l'économie, de l'industrie et de l'emploi
Direction générale de la compétitivité, de l'industrie et des services
Sous-direction «industries de santé, de la chimie et des nouveaux matériaux»
Bureau «matériaux du futur et nouveaux procédés»
Le Bervil
12 rue Villiot
75572 Paris Cedex 12, FRANCE
Tél. +33 153449026
Fax +33 153449172

10. **Germany**

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)
Frankfurter Str. 29-35
D-65760 Eschborn
Tel. +49 61969080

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Fax +49 6196908800

11. **Greece**

Υπουργείο Οικονομίας, Ανταγωνιστικότητας & Ναυτιλίας

Γενική Διεύθυνση Διεθνούς Οικονομικής Πολιτικής

Διεύθυνση Καθεστώτων Εισαγωγών-Εξαγωγών, Εμπορικής Άμυνας

Κορνάρου 1

105 63 Αθήνα

Τηλ. +30 2103286021/22

Φαξ +210 3286094

12. **Hungary**

Magyar Kereskedelmi Engedélyezési Hivatal

Margit krt. 85.

H-1024 Budapest.

Postafiók: 1537 Budapest Pf. 345.

Tel. +36 13367303

Fax +36 1336 7302

e-mail: mkeh@mkeh.gov.hu

13. **Ireland**

Department of Enterprise, Trade and Employment

Internal Market

Kildare Street

IRL-Dublin 2

Tel. +353 16312121

Fax +353 16312826

14. **Italy**

Ministero dello Sviluppo Economico

Direzione Generale per la Politica Commerciale

DIV. III

Viale America 341

I-00144 Roma

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Tel.	+39 0659647517, 59932471, 59932245, 59932260
Fax	+39 0659932636
E-mail:	polcom3@mincomes.it

15. Latvia

Ekonomikas ministrija
 Brīvības iela 55
 Rīga, LV-1519
 LATVIJA
 Tālr.: +371 67013299, +371 67013248
 Fakss: +371 67280882

16. Lithuania

Lietuvos Respublikos Ūkio Ministerija
 Gedimino pr. 38/2
 LT-01104 Vilnius
 Tel. +370 5262850/+370 52619488
 Fax +370 52623974

17. Luxembourg

Ministère de l'économie et du commerce
 Office des licences
 Boîte postale 113
 2011 Luxembourg, LUXEMBOURG
 Tél. +352 4782371
 Fax +352 466138

18. Malta

Ministry for Competitiveness and Communication
 Commerce Division, Trade Services Directorate
 Lascaris
 Valletta CMR02
 Malta
 Tel. +356 21237112
 Fax +356 21237900

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19. **Netherlands**

Belastingdienst/Douane
Centrale Dienst voor in- en uitvoer
Engelse Kamp 2
Postbus 30003
9700 RD Groningen
NEDERLAND
Tel. +31 505232600
Fax +31 505232210

20. **Poland**

Ministerstwo Gospodarki
Pl. Trzech Krzyży 3/5
00-950 Warszawa
Tel. +48 226935553
Faks +48 226934021

21. **Portugal**

Ministério das Finanças
Direcção Geral das Alfândegas e dos Impostos Especiais sobre o Consumo
Rua Terreiro do Trigo
Edifício da Alfândega
P-1149-060 LISBOA
Tel. +351 218814263
Fax +351 218814261
E-mail: dsl@dgaiec.min-financas.pt

22. **Romania**

Ministerul Întreprinderilor Mici si Mijlocii, Comertului și Mediului de Afaceri
Directia Generala Politici Comerciale
Str. Ion Câmpineanu, nr. 16
Bucuresti, sector 1
Cod postal 010036
Tel. +40 21315.00.81
Fax +40 2131504.54

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e-mail: clc@dce.gov.ro

23. **Slovakia**

Ministerstvo hospodárstva SR

Oddelenie licencií

Mierová 19

827 15 Bratislava

SLOVENSKO

Tel. +421 248542021/+421 248547119

Fax +421 243423919

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 42974470

Faks +386 42974472

E-naslov: taric.cuje@gov.si

25. **Spain**

Ministerio de Industria, Turismo y Comercio

Secretaría General de Comercio Exterior

Paseo de la Castellana, 162

28046 Madrid

ESPAÑA

Tel. +34 913493817-3748

Fax +34 915631823-349 3831

26. **Sweden**

National Board of Trade (Kommerskollegium)

Box 6803

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SE-113 86 Stockholm

SVERIGE

Tfn +46 86904800

Fax +46 8306759

27. **United Kingdom**

Department for Business, Innovation and Skills

Import Licensing Branch

Queensway House – West Precinct

Billingham

UK-TS23 2NF

Tel. +44 1642364333, 364334

Fax +44 1642364269

E-mail: enquiries.ilb@bis.gsi.gov.uk

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- (1) [OJ L 67, 10.3.1994, p. 1.](#)
- (2) [OJ L 314, 25.11.2008, p. 7.](#)

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