

COMMISSION REGULATION (EEC) No 3944/92

of 30 December 1992

Introducing a double checking system for monitoring certain textile products originating in Bangladesh

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rule for imports of certain textile products originating in third countries ⁽¹⁾, as last amended by Commission Regulation (EEC) No 1539/92 ⁽²⁾, and in particular Article 13 thereof;

Whereas Article 13 of Regulation (EEC) No 4136/86 provides for the possibility of consultations in case of fraud or circumvention of the provisions of agreements on textiles concluded between the European Economic Community and supplier third countries;

Whereas there is sufficient evidence to believe that large scale fraud and circumvention is taking place of the provisions of the agreement with Bangladesh especially as regards the determination of origin of textile products;

Whereas after consultations with the Bangladeshi authorities an agreement was initialled in the form of an Exchange of Letters establishing a double checking system for monitoring the shipments of textile goods of categories 4, 6 and 8 without, however, negotiating at this stage quantitative limits;

Whereas on 30 December 1992 the Council approved on behalf of the Community the Agreement between Bangladesh and the European Economic Community in the form of an Exchange of Letters on the introduction of a double-checking system for monitoring all exports of the above mentioned categories;

Whereas Annex VI to Regulation (EEC) 4136/86 lays down the provisions concerning the implementation of a double-checking system as well as the form and production of export licences;

Whereas in order to specify that the export documents to be issued by the Bangladeshi authorities do not refer to products submitted to restrictions, it is necessary to modify, as appropriate, the export documents;

Whereas the introduction of the double-checking system should not prevent the importation into the Community of shipments of products for the categories 4, 6 and 8 which were shipped from Bangladesh before the date of entry into force of this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Textile Committee.

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the provision of Article 2, imports into the Community of the category of products originating in Bangladesh and specified in the Annex 1 hereto shall be subject, until 31 December 1992, to the double-checking system described in Annex VI to Regulation (EEC) No 4136/86.

Article 2

Products referred to in Article 1 shipped from Bangladesh to the Community before the date of entry into force of this Regulation and not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place before that date.

Article 3

The export licence form attached to Annex VI to Regulation 4136/86 is replaced for the purposes of this Regulation by the form specified in the Annex II hereto.

Article 4

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 42.

⁽²⁾ OJ No L 163, 17. 06. 1992, p. 9.

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

Done at Brussels, 30 December 1992.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Category	CN-code 1993	Description	Member State
4	6105 10 00 6105 20 10 6105 20 90 6105 90 10 6109 10 00 6109 90 10 6109 90 30 6110 20 10 6110 30 10	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool of fine animal hair), undervests and the like, knitted or crocheted	EEC
6	6203 41 10 6203 41 90 6203 42 31 6203 42 33 6203 42 35 6203 42 90 6203 43 19 6203 43 90 6203 49 19 6203 49 50 6204 61 10 6204 62 31 6204 62 33 6204 62 39 6204 63 18 6204 69 18 6211 32 42 6211 33 42 6211 42 42 6211 43 42	Men's or boy's woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls' woven trousers and slacks of wool, of cotton or of man-made fibres; lower parts of traksuits with lining, other than category 16 or 29, of cotton or of man-made fibres.	EEC
8	6205 10 00 6205 20 00 6205 30 00	Men's or boy's shirts, other than knitted or crocheted, of wool, cotton or man-made fibres.	EEC

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL		2 No BD
	3 Export year Année d'exportation	4 Category number Numéro de catégorie	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	EXPORT LICENCE (Textile products) <hr/> LICENCE D'EXPORTATION (Produits textiles)		
	6 Country of origin Pays d'origine	7 Country of destination Pays de destination	
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	9 Supplementary details Données supplémentaires NON-RESTRAINED TEXTILE CATEGORY CATÉGORIE TEXTILE NON LIMITÉE		
10 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DÉSIGNATION DES MARCHANDISES	11 Quantity (1) Quantité (1)	12 FOB Value (2) Valeur FOB (2)	
	13 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the Agreement on trade in textile products between the European Economic Community and the People's Republic of Bangladesh. Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case 6, conformément aux dispositions en vigueur dans l'accord sur le commerce des produits textiles entre la Communauté économique européenne et la République populaire du Bangladesh.		
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	At — À, on — le		
	(Signature)	(Stamp — Cachet)	

(1) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight — Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.
(2) In the currency of the sale contract — Dans la monnaie du contrat de vente.