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In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(85) 420 final

Brussels, 24 July 1985

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

about the adoption of a common position in respect of the
modifications to Lists A and B to the EEC-EFTA Agreements

COM(85) 420 final

On 12 May and 4 December 1981 the Commission forwarded to the Council two draft decisions of the EEC-EFTA Joint Committees (COM(81) 215 final of 6 May 1981 and COM(81) 723 of 26 November 1981) supplementing and amending Lists A and B annexed to Protocol No. 3 concerning the definition of the concept of "originating products" and methods of administrative cooperation.

The Council agreed a common position on the proposals for amendments to the origin rules contained in these draft decisions which were then put to the EFTA countries.

On 3 October 1984 the Commission forwarded to the Council a staff paper on the state of negotiations with the EFTA countries on these Community requests as well as certain requests for amendments to the origin rules put forward by the EFTA countries (SEC(84) 1523 of 2 October 1984).

The attached proposal concerns those requests for amendments to the origin rule which have not yet been the subject of a formal Commission proposal with a view to arrive at a compromise solution in the form of a single package of amendments which can be presented for approval to the EEC-EFTA Joint Committees.

The proposal concerns the following items:

- Filter masks (heading ex 59.03) (Community request)
- Brooms and brushes (heading ex 96.01) (Community request)
- Articles of furskin (heading 43.03) (Community request)
- Certain textile fabrics (heading ex 59.17) (Finnish request).

Agreement within the Community on the substance of these amendments has been reached already in the earlier discussions.

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Furthermore there are two items on which there is disagreement:

- Heterocyclic compounds (heading ex 29.35) (Swiss request)
- Sports equipment (heading 97.06) (Austrian request).

On the Swiss request for heading ex 29.35 the Commission proposes a reduced product coverage (compared with the Swiss request) and a derogation limited to 5 years with a review clause. On the Austrian request for heading 97.06 the Commission proposes the insertion of a 5 % tolerance rule in List B.

It is suggested that the Council adopts this draft as the common position of the Community.

Supplementary proposals amending Lists A and B
annexed to Protocol No 3 of the EEC-EFTA Agreements

I. Modifications List A

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
Customs tariff heading No.	Description		
43.03	Articles of furskins	Making up from furskins in plates, crosses and similar forms, of heading 43.02 (1) (2)	Manufacture either from natural fibres or from chemical products or textile pulp (4) Manufacture from ; - glass fibre yarn, coated with phenol resin and gimped with acrylic yarn (5)
59.03 (3)	Bonded fibre fabrics, similar bonded yarn fabrics and articles of such fabrics, whether or not impregnated or coated		
ex 59.17 (3)	Woven fabrics, of a kind commonly used in paper-making or other machinery, felted or not, whether or not impregnated or coated, tubular or endless with single or multiple warp and/or weft, or flat woven with multiple warp and/or weft		

- (1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.
- (2) This rule does not apply to the use of plates, crosses and similar forms of Suzluki, grey siberian squirrel, and hamster furs until four years
- (3) For products composed of two or more textile materials, the conditions shown in column 4 must be met in respect of each of the textile materials of which the mixed product is composed. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased :
- to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07 ;
 - to 30 % where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.
- (4) For filter masks manufacture from undrawn polyester fibres is permitted. This special provision is permitted until (period of 2 years)
- (5) This special provision shall applied until(five years)

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
Customs tariff heading No.	Description		
ex 96.01	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers; squeegees (other than roller squeegees) and mops; excluding brushes made from marten or squirrel hair		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product

II. Modifications List B

In the rule which appears in the third column at the beginning of the list the expression "Nos 97.07 and 98.03" shall be replaced by "Nos 97.06, 97.07, 98.03 and 98.10".

Finished products		Working or processing that confers the status of originating products
Customs tariff heading No.	Description	
ex Chapt. 28 to 37	Products of the chemical and allied industries excluding sulphuric anhydride (ex 28.13) heterocyclic compounds; nucleic acids (ex 29.35), tannins (ex 32.01), essential oils, resinoids and termenic by-products (ex 33.01), prepared enzymes not elsewhere specified or included (ex 35.07)	Working or processing in which the value of the non-originating products used does not exceed 20 % of the value of the finished product
29.35	Heterocyclic compounds ; nucleic acids : 1. other lactams than 6-Hexanelactam (epsilon-caprolactam) ; Mono-Azepines ; Diazepines ; Azocines ; (whether or not saturated) ; Compounds containing a phenothiazine ring-system (whether or not hydrogenated), not further fused ; Monothiamonoazepines ; Monothioles ; Monothiins ; Monooxamonoazines ; Monooxamonoazoles ; (whether or not saturated) 2. other	Working or processing in which the value of the non-originating products used does not exceed 30 % of the value of the finished product (1) Working or processing in which the value of non-originating products used does not exceed 20 % of the value of the finished product

(1) This provision shall apply until(five years).

JOINT COMMITTEE DECLARATION

The Joint Committee agrees that the economic effect of the origin rule for tariff heading 29.35 may be re-examined during the duration of the derogation at the request of either side with a view if appropriate to amend the product coverage of the rule.

In all circumstances a review of the rule will take place before the expiration of the derogation with a view to adopt the rule permanently provided it is established that the modified rule has had no significant negative economic effect for the industry concerned in the Community or the EFTA countries.