II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 April 1975

authorizing the Italian Republic not to apply Community treatment to cotton shirts falling within heading No ex 61.03 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the Federal Republic of Germany

(Only the Italian text is authentic)

(75/467/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof;

Having regard to the application to the Commission under the first paragraph of Article 115 of the Treaty, made on 28 March 1975 by the Italian Government by telex from that country's permanent representative to the European Communities, for authorization to apply protective measures in respect of the importation of certain cotton products falling within heading No ex 61.03, originating in Hong Kong and in free circulation in the Federal Republic of Germany;

Whereas the importation into the Community of the products in question originating in Hong Kong was the subject of the Agreement (1) on trade in cotton textiles between the Community and Hong Kong signed on 22 July 1971;

Whereas for the duration of that Agreement the Community suspended all quantitative restrictions on imports of cotton textiles originating in Hong Kong on condition that Hong Kong limited its exports of those products to a certain ceiling fixed in the Agreement;

Whereas, however, this voluntary restraint ceiling was allocated among the various Member States in accordance with a scale communicated to Hong Kong by the Community;

Whereas that Agreement expired in 1973; whereas, however, imports of cotton textiles originating in and coming from Hong Kong continue to be governed by the voluntary restraint arrangements laid down in the Agreement and remain within the limits of the ceilings provided for therein increased autonomously by the Hong Kong Government;

Whereas the request for indirect importation which prompted the application relates to an amount corresponding to more than 80 % of the quota allocated to Italy for the period 1 January 1975 to 30 September 1975; whereas in those circumstances the carrying out of the proposed operation would render ineffective the allocation of the ceiling among the Member States and would be likely to aggravate the current economic difficulties in the sector concerned;

Whereas authorization should be given, for a limited period, for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down by the Commission Decision of 12 May 1971 (2), and in particular Article 1 thereof,

(1) OJ No L 220, 30. 9. 1971, p. 23.

(2) OJ No L 121, 3. 6. 1971, p. 26.

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized not to apply Community treatment to imports of cotton shirts falling within heading No 61.03 of the Common Customs Tariff, where they originate in Hong Kong and are in free circulation in the Federal Republic of Germany and in respect of which applications for import licences were lodged after 21 March 1975.

Article 2

This Decision shall apply until 30 September 1975.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 10 April 1975.

For the Commission

The President

François-Xavier ORTOLI