COMMISSION DECISION

of 9 March 1976

authorizing the Italian Republic not to apply Community treatment to imports of printed cotton fabrics, other than gauze and terry towelling and similar terry fabrics, falling within heading No ex 55.09 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States

(Only the Italian text is authentic)

(76/415/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 February 1976 by the Italian Government by telex from the office of its Permanent Representative to the European Communities, for authorization to apply protective measures in respect of the importation of printed cotton fabrics, other than gauze and terry towelling and similar terry fabrics, falling within heading No ex 55.09 of the Common Customs Tariff, 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 is the subject of an Agreement negotiated between the Community and Hong Kong and initialled on 13 August 1975;

Whereas, pending the completion of the procedures necessary for the conclusion and entry into force of that Agreement, the Community and Hong Kong have agreed to recognize the *de facto* application of its provisions with effect from 18 July 1975;

Whereas, under the Agreement, Hong Kong has undertaken to take all necessary steps to limit its exports of certain textile products to the Community to certain ceilings allocated among the Member States;

Whereas the fixing of the quota shares allocated to the various Member States can be adjusted only progressively to the supply requirements of the markets concerned;

Whereas the quota share allocated to Italy for 1976 for printed cotton fabrics and synthetic textile fibres is 225 metric tons, while the corresponding quota share allocated to the Federal Republic of Germany is 868 metric tons;

Whereas, in these circumstances, it is to be feared that an indirect trade flow to Italy may arise and grow;

Whereas, according to information supplied by the Italian Government, there are serious economic difficulties in the textile industry resulting in a drop in production and unemployment in a number of factories;

Whereas indirect imports of the products in question threaten to aggravate these economic difficulties;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the Federal Republic of Germany and the other Member States;

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 [1], and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized not to apply Community treatment to imports of printed cotton fabrics, other than gauze and terry towelling and similar terry fabrics, falling within heading No ex 55.09 of the Common Customs Tariff, where they originate in Hong Kong and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 19 February 1976.

Article 2

This Decision shall apply until new opportunities arise in Italy for the importation of the products in

[1] OJ No L 121, 3. 6. 1971, p. 26.

question from Hong Kong and in any case not later than 31 December 1976.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 9 March 1976.

For the Commission

Christopher SOAMES

Vice-President