COMMISSION DECISION

of 31 May 1976

authorizing the Italian Republic not to apply Community treatment to certain under garments, knitted or crocheted, not elastic or rubberized, of synthetic textile fibres, falling within subheading 60.04 ex B of the Common Customs Tariff, originating in the Republic of Korea and in free circulation in the other Member States

(Only the Italian text is authentic)

(76/664/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 under the first paragraph of Article 115 of the Treaty, made on 21 May 1976 by the Italian Government to the Commission 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 certain under garments, knitted or crocheted, not elastic or rubberized, of synthetic textile fibres, falling within subheading 60.04 ex B of the Common Customs Tariff, originating in the Republic of Korea and in free circulation in France,

Whereas the importation into the Community of the products in question originating in the Republic of Korea is the subject of an Agreement negotiated between the Community and that country, initialled on 28 November 1975;

Whereas, under the Agreement, the Republic of Korea 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, for the products falling within heading No ex 60.04 of the Common Customs Tariff, the quota share allocated to Italy for 1976 is 437 000 pieces, whereas the quota share allocated to the French Republic for the same product is 2 466 000 pieces;

Whereas the allocation of the voluntary restraint ceiling in question still involves certain disparities in the quota shares fixed for the various Member States in relation to the supply requirements of the markets concerned;

Whereas these disparities are likely to create an indirect trade flow which could aggravate the difficult situation in the textile industry;

Whereas the amount involved in request for a licence which gave rise to the application under Article 115 (129 950 pieces) proves that transactions of this kind are clearly worthwhile;

Whereas, according to information supplied by the Italian Government there are serious economic difficulties in the sector that manufactures the products in question, resulting in a progressive decline of production and a constant reduction of the number of workers employed in that sector;

Whereas the indirect imports in question would be likely 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 French Republic and the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions specified in 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 the following products:

CCT heading No	Description of goods
60.04 ex B	Under garments, knitted or crocheted not elastic or rubberized: — Of other textile materials

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

where they originate in the Republic of Korea and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 11 May 1976.

Article 2

This Decision shall apply until the opening of new import possibilities of the product in question into Italy from the Republic of Korea, and in any case not later than 31 December 1976.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 31 May 1976.

For the Commission

Christopher SOAMES

Vice-President