COMMISSION DECISION

of 17 June 1976

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to certain under garments, knitted or crocheted, not elastic or rubberized, falling within heading No ex 60.04 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(76/668/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 11 and 14 June 1976 by the Governments of the Benelux countries to the Commission by telex from the Office of the Permanent Representatives of the Kingdom of the Netherlands and the Kingdom of Belgium to the European Communities, for authorization not to apply Community treatment to certain under garments, knitted or crocheted, not elastic or rubberized : shirts, T-shirts, undervests, singlets and the like, falling within heading No ex 60.04 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 concluded on 8 April 1976 ;

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, for certain under garments, knitted or crocheted, not elastic or rubberized the quota share allocated for 1976 to the Benelux countries in 1 288 000 items ;

Whereas the allocation of the 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 have caused in the Benelux countries a flow of imports of the products in question, originating in Hong Kong and in free circulation in the other Member States, which theatens to continue and to grow ;

Whereas according to information supplied by the Governments of the Benelux countries there are serious economic difficulties in the branch of the textile industry in question resulting in a progressive decline of production and a constant reduction of the number of workers employed in that sector ;

Whereas these economic difficulties are caused largely by unequal conditions for competition with certain countries (including Hong Kong), whereby such countries are enabled to export at prices lower than those of producers in the Benelux countries ;

Whereas the indirect imports in question, which would be in addition to those already effected, 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 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 Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to imports of the following products :

CCT heading No	Description of goods
ex 60.04	Under garments, knitted or crocheted, not elasic or rubberized : shirts, T-shirts, undervests, singlets and the like

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

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 31 May 1976.

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of the products in question from Hong Kong and in any case not later than 31 December 1976.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 17 June 1976.

For the Commission

Christopher SOAMES

Vice-President