COMMISSION DECISION

of 11 November 1976

authorizing the United Kingdom not to apply Community treatment to unbleached and bleached yarn of synthetic textile fibres (polyester/cotton) falling within subheading 56.07 ex A of the Common Customs Tariff, originating in the Republic of Korea and in free circulation in the Netherlands

(Only the English text is authentic)

(76/927/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 3 November 1976 by the United Kingdom 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 unbleached and bleached yarn of synthetic textile fibres (polyester/cotton) falling within subheading 56.07 ex A of the Common Customs Tariff, originating in the Republic of Korea and in free circulation in the Netherlands,

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 and 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 imports of unbleached and bleached cotton yarn and of yarn of synthetic textile fibres falling within heading No ex 55.09 and subheading 56.07 ex A of the Common Customs Tariff, the quota share allocated to the United Kingdom is 1 714 metric tons of which 20 % (342·80 metric tons) is intended for products falling within subheading 56·07 ex A of the Common Customs Tariff;

Whereas the allocation of the quota concerned takes account also of certain disparities in the fixing of the quota shares for the Member States by comparison with the subsidy needs of the markets concerned;

Whereas such disparities are likely to create an indirect trade flow which could aggravate the persistent difficulties of the textile industry;

Whereas the information contained in the application does not show that an indirect trade flow to the United Kingdom exists at present for the products concerned;

Whereas the carrying out of the indirect import envisaged, while it would appear to be an isolated operation, would be likely to affect the delicate situation of the national production of the products in question because of the appreciable amount involved and because of the price which is considerably lower than those prevailing among British producers;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the Netherlands 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 laid down by the Commission Decision of 12 May 1971 [1], and in particular Article 1 thereof,

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

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is authorized not to apply Community treatment to yarn of synthetic textile fibres (polyester/cotton) falling within subheading 56.07 ex A of the Common Customs Tariff, originating in the Republic of Korea and in free circulation in the Netherlands, and in respect of which applications for import licences lodged after 25 October 1976 are before the United Kingdom authorities on the date of this Decision.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 11 November 1976.

For the Commission

Guido BRUNNER

Member of the Commission