II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 October 1976

authorizing the Federal Republic of Germany not to apply Community treatment to women's, girls' and infants' shirts and blouses, falling within subheading 61.02 ex B of the Common Customs Tariff, originating in Taiwan and in free circulation in the Netherlands

(Only the German text is authentic)

(77/1/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 7 October 1976 by the Government of the Federal Republic of Germany to the Commission by telex from the Office of its Permanent Representative to the European Communities for authorization not to apply Community treatment to women's, girls' and infants' shirts and blouses, falling within subheading 61.02 ex B of the Common Customs Tariff, originating in Taiwan and in free circulation in the Netherlands,

Whereas imports into the Community of the products in question originating in Taiwan are subject to a Community quantitative quota established by Council Regulation (EEC) No 1783/75 of 10 July 1975 on rules for imports of certain textile products originating in Taiwan [1];

Whereas this quota is administered by allocation among the Member States, as determined by Commission Regulation (EEC) No 1849/75 of 18 July 1975 allocating quantitative quotas in respect of imports into the Community of certain textile products originating in Taiwan [2]; whereas the quota shares allocated for 1976 to the Benelux countries and the Federal Republic of Germany are 696 000 and 576 000 items respectively;

Whereas, since it was not possible when the Community quota was opened to achieve full alignment of the import arrangements previously applied in the Member States, the above Regulation (EEC) No 1783/75 provides, as a temporary measure, for a derogation from the principle of equal and continuous access for all Community importers to Community quotas by stipulating that the quota in question be allocated initially on the basis of the volume of imports previously admitted into the various Member States and that it need be adjusted only progressively to the supply requirements of the markets;

Whereas for this reason this allocation of the quota in question still involves certain disparities in the quota shares fixed for the various Member States by reference to the supply requirements of the markets concerned;

Whereas these disparities have caused in the Federal Republic of Germany a flow of imports of the products in question, originating in Taiwan and in free circulation in the Netherlands, which threatens to continue and to grow;

[1] OJ No L 182, 12. 7. 1975, p. 2.

[2] OJ No L 189, 21. 7. 1975, p. 24.

Whereas there are serious economic difficulties in the branch of the textile industry concerned, 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, 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 Netherlands ;

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 Federal Republic of Germany is authorized not to apply Community treatment to imports of the following products :

CCT heading No	Description of goods
61.02 ex B	Women's, girls' and infants' outer garments, shirts and blouses

where they originate in Taiwan and are in free circulation in the Netherlands, and in respect of which applications for import licences were lodged after 27 September 1976.

Article 2

This Decision shall apply until new opportunities arise in the Federal Republic of Germany for the importation of the products in question from Taiwan and in any case not later than 31 December 1976.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 14 October 1976.

For the Commission

Christopher SOAMES

Vice-President

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