COMMISSION DECISION

of 26 November 1976

authorizing the Federal Republic of Germany not to apply Community treatment to woven fabrics of regenerated textile fibres, containing 85 % or more by weight of regenerated textile fibres, unbleached or bleached, falling within subheading ex 56.07 B of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in Denmark

(Only the German text is authentic)

(77/2/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 19 November 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 woven fabrics of regenerated textile fibres, containing 85 % or more by weight of regenerated textile fibres, unbleached or bleached, falling within subheading ex 56.07 B of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in Denmark,

Whereas for the fabrics falling within subheading ex 56.07 of the Common Customs Tariff, the Federal Republic of Germany, in accordance with the Council Decision of 18 December 1975 [1], opened in respect of the People's Republic of China a quota of DM 1 200 000 for 1976, which has been used up ;

Whereas, according to information supplied by the Government of the Federal Republic of Germany, the economic difficulties in the textile industry concerned which were the reason for the restrictive measure still persist ;

Whereas indirect imports, 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 rapidly the machinery for bringing about the necessary cooperation from Denmark and the other Member States ;

Whereas authorization should accordingly be given for the application of protective measures, under the first paragraph of Article 115 of the Treaty, subject to the conditions specified in the Commission Decision of 12 May 1971 [2], and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION :

Article 1

The Federal Republic of Germany is hereby authorized not to apply Community treatment to woven fabrics of regenerated textile fibres, containing 85 % or more by weight of regenerated textile fibres, unbleached or bleached, falling within subheading ex 56.07 B of the Common Customs Tariff, where they originate in the People's Republic of China and are in free circulation in Denmark, and in respect of which applications for import licences were lodged after 9 November 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 the People's Republic of China 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, 26 November 1976.

For the Commission

G. BRUNNER

Member of the Commission

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[1] OJ No L 332, 31. 12. 1975, p. 1.

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