II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 January 1977

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to imports of bed linen, table linen, toilet linen and kitchen linen falling within heading No ex 62.02 of the Common Customs Tariff, originating in the Republic of India and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(77/478/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 18 January 1977 by the Governments of the Benelux countries to the Commission by telex from the office of the Permanent Representative of the Kingdom of the Netherlands to the European Communities, for authorization not to apply Community treatment to bed linen, table linen, toilet linen and kitchen linen, falling within heading No ex 62.02 of the Common Customs Tariff, originating in the Republic of India and in free circulation in the other Member States,

Whereas the importation of the products in question originating in the Republic of India is the subject of an Agreement between the Community and that country concluded on 10 November 1975 ;

Whereas under the Agreement the Republic of India has undertaken to take all necessary steps to limit its exports to the Community of household linen falling within heading No ex 62.02 of the Common Customs Tariff to a certain ceiling allocated among the Member States ;

Whereas the quota share allocated for 1977 to the Netherlands is 400 000 kilograms ;

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

Whereas these economic difficulties are caused largely by unequal conditions of competition with certain countries (including the Republic of India), 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 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 specified in 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 bed linen, table linen, toilet linen and kitchen linen falling within heading No ex 62.02 of the Common Customs Tariff, where they originate in the Republic of India and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 5 January 1977.

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of the products in question from the Republic of India and in any case not later than 31 December 1977.

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, 21 January 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

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