COMMISSION DECISION

of 11 August 1977

authorizing the Federal Republic of Germany not to apply Community treatment to men's and boys' outer garments, trousers, breeches and the like, falling within heading No ex 61.01 of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in the other Member States

(Only the German text is authentic)

(77/637/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 4 August 1977 the Government of the Federal Republic of Germany to the Commission by telex from the Office of its Permanent Representative to men's and boys' outer garments, trousers, breeches and the like, falling within heading No ex 61.01of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in the other Member States,

Whereas for the products falling within heading No ex 61.01 of the Common Customs Tariff, the Federal Republic of Germany, in accordance with the Council Decision of 13 December 1976 [1], opened in respect of the People's Republic of China a quota of DM 1·82 million for 1977, 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 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 men's and boys' outer garments, trousers, breeches and the like, falling within heading No ex 61.01 of the Common Customs Tariff, where they originate in the People's Republic of China and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 26 July 1977 are, on the date of this Decision, pending with the German authorities.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 11 August 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

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[1] OJ No L 365, 31. 12. 1976.

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