COMMISSION DECISION

of 22 March 1977

authorizing the Federal Republic of Germany not to apply Community treatment to woven fabrics of cotton other than of cotton gauze or of unbleached terry towelling and similar terry fabrics, falling within heading No ex 55.09 of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in the Benelux countries

(Only the German text is authentic)

(77/724/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 14 March 1977 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 cotton other than of cotton gauze or of unbleached terry towelling and similar terry fabrics, falling within heading No ex 55.09 of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in the Benelux countries,

Whereas for fabrics falling within heading No ex 55.09 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 3 000 000 for 1977, which has been used up ;

Whereas, according to information supplied by the Government of the Federal Republic of Germany, the textile industry concerned is faced with a serious crisis which shows itself especially by a decrease in production and by a reduction in its share of the market ;

Whereas indirect imports, which would be in addition to those already effected, especially from the Benelux countries, 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 Benelux countries 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 cotton other than of cotton gauze or of unbleached terry towelling and similar terry fabrics, falling within heading No ex 55.09 of the Common Customs Tariff, where they originate in the People's Republic of China and are in free circulation in the Benelux countries, and in respect of which applications for import licences were lodged after 3 March 1977.

Article 2

This Decison 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 1977.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 22 March 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

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

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