COMMISSION DECISION

of 29 November 1976

authorizing the Federal Republic of Germany not to apply Community treatment to certain under garments, knitted or crocheted, not elastic or rubberized, of cotton or of other textile materials — men's and boys' pyjamas, women's, girls' and infants' pyjamas and nightdresses, falling within heading No ex 60.04 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the Netherlands

(Only the German text is authentic)

(77/73/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 22 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 certain under garments, knitted or crocheted, not elastic or rubberized, of cotton or of other textile materials — men's and boys' pyjamas, women's, girls' and infants' pyjamas and nightdresses, falling within heading No ex 60.04 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the Netherlands,

Whereas, under the Agreement concluded on 8 April 1976 between the Community and Hong Kong following Article 4 of the Arrangement regarding international trade in textiles, Hong Kong has undertaken to limit its exports of the products in question to the Federal Republic of Germany to a certain ceiling ;

Whereas further indirect imports would be likely to aggravate the serious economic difficulties in the branch of the textile industry concerned, which are resulting in particular in a progressive decline of production ;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the Netherlands and the other Member States ;

Whereas authorization should accordingly be given 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 the following products :

CCT heading No	Description of goods
ex 60.04	Certain under garments, knitted or crocheted, not elastic or rubberized : — Of cotton or of other textile materials : — Men's and boys' pyjamas — Women's, girls' and infants' pyjamas and nightdresses

where they originate in Hong Kong and are in free circulation in the Netherlands, 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 Hong Kong and in any case not later than 31 December 1976.

Article 3

This Decision is adressed to the Federal Republic of Germany.

Done at Brussels, 29 November 1976.

For the Commission

Finn GUNDELACH

Member of the Commission

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