REGULATION (EEC) No 2992/75 OF THE COUNCIL

of 10 November 1975

concluding the Agreement between the European Economic Community and the Republic of India on trade in textile products and laying down provisions for its application

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof;

Having regard to Council Regulation (EEC) No 1023/70 (1) of 25 May 1970 establishing a common procedure for administering quantitative quotas, and in particular Article 2 thereof;

Having regard to the proposal from the Commission;

Whereas the Agreement negotiated between the European Economic Community and the Republic of India on trade in textile products should be included;

Whereas the Community is obliged under the Agreement to permit the import of certain textile products within quantitative limits to which India undertakes to adhere by applying voluntary restraint in respect of its exports to the Community; whereas it is therefore necessary to introduce Community quantitative quotas, to fix the volume thereof for 1975, 1976 and 1977 and to establish the criteria for their allocation, with account being taken of the system of double checking provided for in the Agreement;

Whereas in view of the considerable disparities in the conditions to which imports of the products in question into the Member States are currently subject, and in view of the particularly sensitive nature of the textile industry in the Community, the standardization of these import conditions can only be achieved by progressive stages; whereas these quotas should be allocated taking into account, in particular, the fact that the volumes admitted under the present import conditions are being adapted by progressive stages to market supply requirements;

Whereas the Agreement provides in respect of certain other textile products for the suspension by the Community of the quantitative import restrictions together with a special consultation procedure enabling safeguard measures to be adopted where there is a risk of market disruption; whereas, in accordance with this procedure, India has undertaken to apply voluntary restraint in respect of its exports to certain Member States; whereas the voluntary restraint in question will be administered in accordance with the system of double checking provided for in the Agreement;

Whereas it is therefore necessary to retain provisionally quantitative restrictions on imports of these products into the Member States concerned, to suspend quantitative restrictions in the other Member States and subsequently to replace these various measures by liberalization measures which will be uniform throughout the Community;

Whereas products brought into the customs territory of the Community under the inward processing traffic system or temporary entry arrangements and re-exported from that territory without further processing or after undergoing working should not be subject to the Community quantitative quotas or to the voluntary restraint measures adopted in respect of exports to certain Member States,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Economic Community and the Republic of India on trade in textile products is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council shall notify the other Contracting Party that, as regards the Community, the procedures necessary for the entry into force of the Agreement have been completed.

(1) OJ No L 124, 8. 6. 1970, p. 1.

Article 3

1. Imports into the Community of the textile products set out below originating in and coming from India shall be subject to Community quantitative quotas and the volumes of the quotas for 1975, 1976 and 1977 are shown for each of these products:

CCT heading No	Description	Volume (in metric tons)		
		1975	1976	1977
55.09	Other woven fabrics of cotton	34 940	37 390	40 000
of which ex 55.09	Woven fabrics of cotton other than unbleached or bleached	3 500	3 750	4 000
ex 61.02	Women's cotton shirts and blouses	954	954	1 014
ex 62.02	Cotton household linen	7 592	8 015	8 544

However the volume of the quotas fixed for 1975 are reduced by the amount of imports affected in that year before the entry into force of the Agreement.

2. The quotas shall be allocated, in accordance with the procedure laid down in Article 11 of Regulation (EEC) No 1023/70, in such a way as to ensure the expansion and orderly development of trade in textiles and to permit carryover and anticipation from year to year.

The allocation shall be made, however, on the basis of the import volumes admitted on the conditions currently applied in the Member States and shall provide for annual rates of increase that are appreciably higher for the Member States whose import volumes are relatively the lowest in such a way as to adapt them by progressive stages to market supply requirements.

3. Import authorizations shall be granted in accordance with the system of double checking defined in Annex V to the Agreement.

4. Products brought into the customs territory of the Community under the inward processing traffic system or temporary entry arrangements and re-exported from that territory without further processing or after undergoing working shall not be set off against the quotas provided for in paragraph 1.

Article 4

1. Imports into the Community of the textile products set out below originating in and coming from India shall not be subject to quantitative restrictions except that for 1975, 1976 and 1977 imports into the Member States indicated on the table below shall be limited to the quantities indicated in the table.

CCT heading No	Description	Member State	Quantities		
			1975	1976	1977
55.08	Terry towelling and similar terry fabrics, of cotton	United Kingdom	450 metric tons	481 metric tons	515 metric tons
ex 60.04	T-shirts	France	2 250 000 units	2 407 500 units	2 575 990 units
ex 61.03	Men's cotton shirts	United Kingdom	663 960 units	710 437 units	760 167 units
ex 61.05	Cotton handkerchiefs	United Kingdom	4 344 933 dozen	4 649 078 dozen	4 974 512 dozen

However, the quantities fixed for the year 1975 shall be reduced by the amount of imports effected in that year before the entry into force of the Agreement.

2. Import authorizations shall be issued by the competent authorities of the Member States concerned in accordance with the system of double checking defined in Annex V to the Agreement.

3. Products introduced into the customs territory of the Community under the inward processing traffic system or temporary entry arrangements and re-exported from that territory without further processing or after undergoing working shall not be set off against the quantities provided for in paragraph 1.

4. The quantities provided for under paragraph 1 may be adapted in accordance with the procedure provided for in Article 11 of Regulation (EEC) No 1023/70.

Article 5

Imports into the Community of the textile products referred to below, originating in and coming from India and accompanied by a certificate issued and endorsed by the relevant Indian authorities in accordance with Annex IV to the Agreement, shall not be subject to quantitative restrictions:

(i) cotton handloom fabrics of the cottage industry, containing not more than 5 % by weight of manmade fibres, being fabrics which are both traditionally of the kind woven on handlooms and actually woven on a loom for which the motive power is provided entirely by the operators (that is where the three primary movements of weaving namely shedding, picking and beating, are induced by hand or foot and no other source of power is used);

(ii) goods made up by the cottage industry from such cotton handloom fabrics;

(iii) traditional Indian folklore handicraft textile products cut, sewn or otherwise fabricated by hand in cottages which are units of the cottage industry.

Article 6

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Communities.*

Articles 3, 4 and 5 shall apply from the date of entry into force of the Agreement.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 10 November 1975.

For the Council

The President

G. MARCORA