REGULATION (EEC) No 3364/75 OF THE COMMISSION

of 23 December 1975

regarding the administration of Community quantitative quotas on certain textile products originating in the Republic of India

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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 Articles 2 and 8 thereof;

Having regard to Council Regulation (EEC) No 2992/75 [2] 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, and in particular Article 3 thereof;

Whereas Article 3 of the said Regulation (EEC) No 2992/75 of 10 November 1975, fixed the Community quantitative quotas on imports and provided for their allocation among the Member States in accordance with the criteria indicated;

Whereas, however, the conditions to which the imports concerned are at present subject in the Member States cannot be completely standardized immediately on the opening of the quotas because of the considerable disparities in the said conditions and because of the particular sensitivity of the Community textile industry; whereas, for that reason, the criteria for allocation have been determined in such a way that the allocation will only adopt itself progressively to the supply requirements of the markets;

Whereas the said allocation must, within the conditions specified in the Agreement, allow for increase by transfer of unused portions of other limits and for carry-over and anticipation from one year to another;

Whereas, in accordance with the aforesaid Council Regulation (EEC) No 2992/75, products brought into the customs territory of the Community under the inward processing traffic system or temporary import arrangements and re-exported in their original state or after further processing should not be set off against the Community quantitative quotas concerned;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Quota Administration Committee,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Community quantitative quotas on imports for 1975, 1976 and 1977, established by Council Regulation (EEC) No 2992/75 of 10 November 1975 shall be allocated among the Member States as indicated in Annex A.

2. The volume of the quota shares fixed for 1975 are reduced by the amount of imports effected in that year before the entry into force of this Regulation.

Member States shall inform the Commission of the amounts thus deducted.

Article 2

1. The volume of the quota shares fixed in Article 1 may be increased in any Agreement year, by transfer of unused portions of other quota shares provided for the same year in the same Member State, in accordance with the following conditions:

	percentage limit of increase in volume of quota shares to which a transfer is made
— to quota shares of category 1 and of sub-category 1 (a):	
— from categories 2 and 3	10 %
— to quota shares of sub-category 1 (a):	
— from category 1	7 %
— to quota shares of category 2:	
— from category 1	5 %
— from category 3	10 %
— to quota shares of category 3:	
— from category 1	7 %
— from category 2	10 %

2. The volume of quota shares fixed in Article 1 may be increased, either by carry-over to the corresponding quota shares of the same Member State of unused quantities from the preceding year or by advance deliveries on the corresponding quota share of the same Member State for the following year; the amount of each of such carry-over or advance delivery shall be limited to a maximum of 10 % of the quota share to be increased.

3. The cumulative application of the provisions laid down in paragraphs 1 and 2 shall not, in any given Agreement year, result in an increase of the quota

[1] OJ No L 124, 8. 6. 1970, p. 1.
[2] OJ No L 297, 17. 11. 1975, p. 8.

shares of one or other of the categories or sub-categories to which the transfers are made of more than the following percentages :

— category 1 and sub-category 1 (a)	20 %
— category 2	15 %
— category 3	20 %

4. Member States shall inform the Commission of the quantities which have been the subject of transfers under this Article.

Article 3

Import authorizations shall be issued by the competent authorities in the Member States automatically and without delay, within the limits of the quota shares fixed and having regard to the possibilities for flexibility provided for in Article 2, on submission of the importers application together with the original export authorization issued by the Indian authorities in accordance with the specifications indicated in Annex B.

Article 4

Entry for consumption of products imported under the inward processing traffic system or temporary entry arrangements shall be subject to an authorization within the limits of the quota shares fixed in Article 1.

Products which have been imported for consumption in the Community and have subsequently become subject to the inward processing traffic system or temporary entry arrangements shall be deducted from the quota shares fixed by Article 1.

Article 5

Without prejudice to the provisions of Article 8 of Council Regulation (EEC) No 1023/70 establishing a common procedure for administering quantitative quotas, Member States shall communicate to the Commission, within 60 days of the end of each quarter, in respect of the categories and sub-categories set out in Annex A :

(a) the volume of products admitted under the conditions of Article 4 (temporary entry or inward processing system) which have been retained for internal consumption ;

(b) the volume of products covered by export authorizations issued by the Indian authorities in accordance with the specification indicated in Annex B and debited to the agreed limits which have been re-exported outside the customs territory of the Community.

Article 6

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

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

Done at Brussels, 23 December 1975.

For the Commission

Finn GUNDELACH

Member of the Commission

ANNEX A

INDIA

Categories and sub-categories	CCT heading No	Nimexe position	Description of product	Unit	Member States	Quantities		
						1975	1976	1977
1	55.09	All positions	Other woven fabrics of cotton	metric tons	FRG	4 590	5 512	6 412
					F	3 836	4 480	5 221
					I	1 000	1 300	1 690
					BNL	1 687	2 025	2 355
					UK	22 825	22 939	23 054
					IRL	136	163	195
					DK	866	971	1 073
					EEC	34 940	37 390	40 000
1 (a)	ex 55.09	55.09-03; 04; 05; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 69; ex 71; 81; 82; 83; 84; 86; 87; 92; 93; 97	— Of which : 'Other woven fabrics of cotton' : — Other than grey or bleached	metric tons	FRG	343	419	498
					F	366	432	502
					I	219	267	318
					BNL	273	322	360
					UK	1 810	1 819	1 828
					IRL	70	70	71
					DK	419	421	423
					EEC	3 500	3 750	4 000
2	61.02	61.02-87	Women's, girls' and infants' outer garments : — Shirts and blouses, of cotton	metric tons	FRG	250	250	268
					F	115	115	128
					I	130	130	139
					BNL	148	148	150
					UK	122	122	140
					IRL	5	5	5
					DK	184	184	184
					EEC	954	954	1 014
3	62.02	62.02-11; 41; 43; 47; 71; 73	Bed linen, table linen, toilet linen and kitchen linen, curtains and other furnishing articles : ex B. Other : — Bed linen, table linen, toilet linen and kitchen linen, of cotton	metric tons	FRG	2 291	2 556	2 789
					F	138	207	310
					I	197	256	333
					BNL	292	315	400
					UK	4 008	4 008	4 028
					IRL	9	13	21
					DK	657	660	663
					EEC	7 592	8 015	8 544

ANNEX B

Export authorizations issued by the Indian authorities for products subject to limits by virtue of this Regulation shall specify :

1. destination ;
2. serial number ;
3. importer's name and address ;
4. exporter's name and address ;
5. net weight (in kilogrammes or metric tons) and value ;
6. the category against which the product has been set off by the Indian authorities ;
7. certificate issued by the Indian authorities indicating that the quantity involved has been debited against the amount of the agreed limit for exports to the Community or, where appropriate, that the said quantity is destined for immediate re-export or for re-export outside the Community after processing.