COMMISSION REGULATION (EEC) No 1566/77

of 12 July 1977

making the importation into the Community or certain Member States of cotton yarn and garments originating in certain third countries subject to authorization

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1439/74 of 4 June 1974 on common rules for imports [1], and in particular Article 12 thereof,

Having regard to Council Regulation (EEC) No 1525/70 of 20 July 1970 on the protective measures provided for in the Agreement between the European Economic Community and Spain [2],

Having regard to Council Regulation (EEC) No 1842/71 of 21 June 1971 on the protective measures provided for in the Additional Protocol to the Association Agreement between the European Economic Community and Turkey and in the Interim Agreement between the European Economic Community and Turkey [3],

Whereas imports into the Community of certain textile products (cotton yarn, men's shirts, T-shirts and the like, women's shirts and blouses) from several countries of origin have increased sharply and substantially in the past few months;

Whereas imports of these products from all third countries already accounted in 1976 for a considerable share of the Community market; whereas this share, whether of the Community market as a whole or of that of certain Member States, has since increased further;

Whereas quantitative limits have already been established for the products in question, in accordance with the provisions of the MFA and of bilateral agreements negotiated between the Community and certain supplying countries;

Whereas there has been a substantial increase in imports from other supplying countries either on the Community market or on the market of one or more Member States, according to the product and the third country of origin; whereas all these factors have given rise to market disruption and are causing substantial injury to Community producers;

Whereas, in the context of the Arrangement regarding International Trade in Textiles, the Community has negotiated Agreements on trade in textiles with Colombia, India, Malaysia, and Pakistan; whereas the Community has concluded bilateral Agreements establishing special arrangements for trade with Egypt, Spain, Morocco, Tunisia and Turkey; whereas each of the said Agreements contains specific provision for recourse to safeguard measures;

Whereas, in view of the market disruption referred to above, the Community has applied the procedures provided for in the said Agreements, which allow appropriate safeguard measures to be taken in order to limit imports of the products in question on the Community market or on the market of certain Member States, account being taken of the specific trend of imports according to country of origin;

Whereas, in particular, under the Agreements negotiated by the Community with Colombia, India, Malaysia and Pakistan in the context of the Arrangement regarding International Trade in Textiles, compliance with the quantitative export limits established or to be established by virtue of the said Agreements is ensured by an agreed bilateral system of control; whereas the effectiveness of the voluntary restraint measures taken by the abovementioned exporting countries depends on the establishment of a system of control by the Community; whereas in order to establish such a system it is found to be necessary to make imports of the goods in question from all the third countries concerned subject to authorization;

Whereas, in order to ensure that the import authorization arrangements referred to above are not evaded by anticipatory exports or indirect imports likely to cause near irreparable damage to Community producers, it is necessary to establish the said arrangements as soon as possible,

(1) OJ No L 159, 15. 6. 1974, p. 1.
(2) OJ No L 182, 16. 8. 1970, p. 175.
(3) OJ No L 192, 26. 8. 1971, p. 14.

HAS ADOPTED THIS REGULATION :

Article 1

The importation into the Community or certain Member States, as specified in Annex A to this Regulation, of the goods indicated in that Annex, originating in the countries therein referred to, is hereby made subject to the production of an import authorization issued by the authorities of the Member States concerned.

Article 2

1. Import authorizations shall be issued automatically and without delay up to the quantities specified in Annex A. Imports effected from 1 July 1977 to the date of entry into force of this Regulation shall be deducted from these quantities where the goods in question were exported from the third country concerned on or after that date.

2. Subject to the provisions of paragraph 1, for goods originating in Colombia, India, Malaysia or Pakistan import authorizations shall be issued automatically and without delay either upon presentation of a bill of lading proving that the goods in question were placed on board in the country of origin for export to the Member State of destination before the date of entry into force of this Regulation, or, providing that the limits referred to in paragraph 1 have not been reached, upon presentation of the document agreed under the Agreements on trade in textiles negotiated with each of the abovementioned countries, which document shall have been issued by the relevant authority in each country and shall contain the particulars listed in Annex B to this Regulation.

Article 3

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

2. It shall apply until 31 December 1977, subject — in the case of imports of goods originating in Colombia, Egypt, India, Malaysia, Pakistan, Morocco or Tunisia — to the adoption of a Council Regulation in accordance with Article 12 (6) and Article 13 of Regulation (EEC) No 1439/74.

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

Done at Brussels, 12 July 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

ANNEX A

Category No	CCT heading No	NIMEXE Code (1977)	Description of goods	Third country	Member States	Unit	Quantity (1 July — 31 December 1977)
1	55.05	All	Cotton yarn, not put up for retail sale				
(a)				Egypt	D	tonnes	2 180
					F		957
					I		139
					BNL		847
					UK		228
					IRL		7·5
					DK		456
					EEC		4 814·5
(b)				Colombia	F	tonnes	393
(c)				Spain	F	tonnes	1 275
(d)				India	F	tonnes	200
2	ex 60.04		Under garments, knitted or crocheted, not elastic nor rubberised :				
		60.04-13 ; ex 19 ; ex 29 ; ex 35 ; 41 ; ex 49 ; ex 59 ; ex 70 ; ex 80	— shirts, roll-neck undershirts, T-shirts, vests and the like except babies' garments, other than of silk, noil or other waste silk, flax or ramie.				
(a)				Spain	D	1000 items	1 532
					F		1 350
					BNL		1 317
(b)				Malaysia	F	1000 items	612
					D		804
(c)				Morocco	F	1000 items	2 580
(d)				Pakistan	F	1000 items	950
					DK		112
(e)				Tunisia	F	1000 items	592
(f)				Turkey	D	1000 items	
					F		to be determined later (1)
later (1)					UK		

(1) The quantities will be determined by another Commission Regulation. Until entry into force of this Regulation the import authorizations will be issued without limitations.

Category No	CCT heading No	NIMEXE Code (1977)	Description of goods	Third country	Member States	Unit	Quantity (1 July — 31 December 1977)
3	61.02		Women's, girls' and infants' outer garments :				
		61.02-78 ; 82 ; ex 84	ex B : other than babies' garments				
			— Blouses, other than of silk, noil or other waste silk, flax or ramie.				
(a)				Turkey	F	1000 items	to be determined later (1)
4	ex 61.03		Men's and boys' under garments, including collars, shirt fronts and cuffs :				
		61.03-11 ; 15 ; ex 19	— shirts, other than of silk, noil or other waste silk, flax or ramie.				
(a)				Morocco	F	1000 items	542
(b)				Tunisia	F	1000 items	384

(1) The quantities will be determined by another Commission Regulation. Until entry into force of this Regulation the import authorizations will be issued without limitations.

ANNEX B

Particulars referred to in Article 2 (2)

The export documents [1] to be issued by the authorities of the exporting countries referred to in Article 2 (2) of this Regulation shall specify or include :

1. The destination, and in particular the Member State of destination ;
2. The serial number ;
3. The name and address of the importer ;
4. The name and address of the exporter ;
5. The net weight in kilograms or tonnes, or the number of items, and the value ;
6. The category and description of the products ;
7. An attestation to the effect that the quantity of goods in question has been counted against the Member State of destination's share of the ceiling for exports to the Community or, where appropriate, that this quantity is intended for immediate re-export, or re-export after processing, from the Community.

[1] Export authorization (India, Pakistan) ; export licence (Malaysia) ; certified copy of the export licence (Columbia).