COMMISSION REGULATION (EEC) No 760/77

of 13 April 1977

on the administration of quantitative limits on imports of certain textile products originating in the Federative Republic of Brazil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas (1), and in particular Articles 2 and 8 thereof,

Having regard to Council Regulation (EEC) No 1169/76 of 17 May 1976 concerning import arrangements for certain textile products originating in Brazil (2),

Whereas Article 1 of Regulation (EEC) No 1169/76 sets up Community quantitative limits on imports and provides for their allocation among the Member States in accordance with the criteria indicated;

Whereas the quantitative limits must so be administered that, in accordance with the terms of the Agreement between the European Economic Community and the Federative Republic of Brazil on trade in textile products, unused portions of ceilings established under the Agreement may be transferred to other ceilings or carried over from one year to the next, and advance use made of such ceilings;

Whereas the system of bilateral control provided for in the said Agreement between the Community and Brazil can be carried out only by the authorities of the Member State indicated as being the destination by the Brazilian authorities and against whose quota share of the Community ceiling the quantity exported has been debited by the said authorities;

Whereas, in accordance with Regulation (EEC) No 1169/76, products which enter the Community's customs territory under inward processing or temporary admission arrangements and are re-exported in their original condition or after processing, with the exception of products in category 2 of the table in Annex A, should not be debited against the Community quantitative limits;

(1) OJ No L 124, 8. 6. 1970, p. 1.
(2) OJ No L 131, 20. 5. 1976, p. 1.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Quota Administration Committee set up by Regulation (EEC) No 1023/70,

HAS ADOPTED THIS REGULATION:

Article 1

The quantitative limits on imports established in Article 1 of Council Regulation (EEC) No 1169/76 of 17 May 1976 shall be allocated among the Member States as set out in Annex A hereto.

Article 2

1. The competent authorities of the Member States concerned shall authorize the import of the products referred to in Article 1 of Regulation (EEC) No 1169/76 up to the amount of the quota shares established pursuant to Article 1 above.

2. When the Commission considers that, in accordance with the Agreement, action should be taken as a result of notification given by the Brazilian authorities that they intend:

— to transfer, in a given year under the Agreement, unused quantities of a quantitative limit in one category to the quantitative limit for another category,

— to carry over unused quantities of a quantitative limit fixed in the Agreement to the corresponding limit fixed for the following year, or to use in advance part of a quantitative limit fixed for the following year,

it shall so inform the Member States, which shall authorize imports in excess of the limits fixed in paragraph 1 up to the amount of the quantities indicated by the Commission.

Article 3

The authorities of the Member State whose territory is designated as the place of destination on the export licence shall forthwith and automatically, on presentation by the importer of a valid export certificate issued by the Brazilian authorities, authorize the import of the products referred to in Article 2 up to the amount of the limits laid down in Article 2.

Export certificates issued by the Brazilian authorities shall not be regarded as valid unless they contain the information specified in Annex B.

Article 4

1. Subject to Article 1 (5) of Reguation (EEC) No 1169/76, authorization shall be required for the clearance for consumption of products imported under inward processing or under some other temporary admission arrangements. After consultation with the Commission Member States shall debit the quantities in question against the quota shares for the current year or the following year.

2. Where, subject to Article 1 (5) of Regulation (EEC) No 1169/76, Member States ascertain that imports of products referred to in this Regulation have been debited against the quota shares established in Article 1 but that these products have subsequently been re-exported outside the Community, either in their original state or after processing they shall inform the Commission of the quantities involved and authorize imports of the same quantities, which shall not be so debited.

Article 5

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, 13 April 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

ANNEX A

Quantitative limits referred to in Article 1

Category	CCT heading No	NIMEXE code (1975)	Description	Units	Member State	Quantitative limits 1976	Quantitative limits 1977
1	55.05		Cotton yarn, not put up for retail sale	1 000 kg	FRG	11 175	11 552
					F	2 830	3 370
					I	3 839	4 162
					BNL	6 732	6 766
					UK	452	678
					IRL	1 113	1 119
					DK	359	443
					EEC	26 500	28 090
2	ex 55.09	55.09-01 ; 02 ; 11 ; 12 ; 13 ; 14 ; 15 ; 16 ; 17 ; 19 ; 21 ; 29 ; 31 ; 33 ; 35 ; 37 ; 38 ; 39 ; 41 ; 49 ; 68 ; ex 71 ; 72 ; 73 ; 74 ; 76 ; 77 ; 78	Other woven fabrics of cotton : — Unbleached or bleached	1 000 kg	FRG	6 700	6 786
					F	1 396	1 518
					I	3 337	3 381
					BNL	2 396	2 428
					UK	830	977
					IRL	200	203
					DK	141	157
					EEC	15 000	15 450
3	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	Other woven fabrics of cotton : — Other than unbleached and bleached	1 000 kg	FRG	618	682
					F	225	260
					I	510	523
					BNL	553	556
					UK	364	411
					IRL	500	503
					DK	80	86
					EEC	2 850	3 021
4	ex 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 than net curtains : — Bed linen : — Of cotton — Table linen : — Of cotton — Toilet linen and kitchen linen : — Of cotton	1 000 kg	FRG	3 900	3 920
					F	360	432
					I	340	406
					BNL	400	464
					UK	740	860
					IRL	110	111
					DK	150	167
					EEC	6 000	6 360

ANNEX B

Details referred to in Article 3 (2)

The export certificate issued by the Brazilian authorities (1) for products covered by this Regulation shall specify or contain :

1. the destination, and in particular the Member State to which the goods are destined ;
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 in tonnes, and the value of the products covered by the certificate ;
6. the category against which the product has been debited by the Brazilian authorities and the description of the product ;
7. a certificate to the effect that the quantity in question has been debited against the share of the Member State to which it is being sent of the agreed ceiling for exports to the Community, or, where appropriate, that the quantity is for immediate re-export, or for re-export after processing, outside the Community ;
8. the year during which the products were exported, that is, were taken aboard in Brazil for export to the Community.

(1) Carteira de Comercio Exterior (CACEX).