COMMISSION REGULATION (EC) No 1367/2004

of 28 July 2004

authorising transfers between the quantitative limits of textiles and clothing products originating in the People's Republic of China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries [1], and in particular Article 7 thereof,

Whereas:

(1) Article 5 of the Agreement between the European Economic Community and the People's Republic of China on trade in textile products [2], initialled on 9 December 1988 and approved by Council Decision 90/647/EEC, as last amended and extended by an Agreement in the form of an Exchange of Letters, initialled on 19 May 2000 and approved by Council Decision 2000/787/EC [3], provides that transfers may be made between quota years. Those flexibility provisions were notified to the Textiles Monitoring Body of the World Trade Organisation following China's accession to it.

(2) Appendix B to Annex V of Regulation (EEC) No 3030/93 sets out the quantitative limits for textiles and clothing products originating in the People's Republic of China and used exclusively at European fairs.

(3) On 12 September 2003 the People's Republic of China submitted a request for transfers of quantities from the quota year 2003 to the quota year 2004.

(4) The transfers requested by the People's Republic of China fall within the limits of the flexibility provisions referred to in Article 5 of the Agreement between the European Economic Community and the People's Republic of China on trade in textile products, as set out in Annex VIII, column 9 to Regulation (EEC) No 3030/93.

(5) It is appropriate to grant the request, to the extent that quantities are available.

(6) It is desirable for this Regulation to enter into force on the day after its publication in order to allow operators to benefit from it as soon as possible.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee set up by Article 17 of Regulation (EEC) No 3030/93,

HAS ADOPTED THIS REGULATION:

Article 1

Transfers between the quantitative limits for textile goods originating in the People's Republic of China fixed by the Agreement between the European Community and the People's Republic of China on trade in textile products are authorised for the quota year 2004 in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 28 July 2004.

For the Commission
Pascal LAMY
Member of the Commission

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[1] OJ L 275, 8.11.1993, p. 1. Regulation as last amended by Regulation (EC) No 487/2004 (OJ L 79, 17.3.2004, p. 1).
[2] OJ L 352, 15.12.1990, p. 1.
[3] OJ L 314, 14.12.2000, p. 13.

ANNEX

720 CHINA					ADJUSTMENT			
Group	Category	Unit	Limit 2004	Working level after implementing normal flexibilities	Quantity	%	Flexibility	New adjusted working level
IA	1	kg	317 000	309 310	12 680	4,0	Transfer from quota year 2003	321 990
IA	2	kg	1 338 000	1 391 520	53 520	4,0	Transfer from quota year 2003	1 445 040
IA	2A	kg	159 000	165 360	6 360	4,0	Transfer from quota year 2003	171 720
IA	3	kg	196 000	203 840	7 840	4,0	Transfer from quota year 2003	211 680
IA	3A	kg	27 000	28 080	1 080	4,0	Transfer from quota year 2003	29 160
IB	4	pieces	2 061 000	2 205 270	82 440	4,0	Transfer from quota year 2003	2 287 710
IB	5	pieces	705 000	754 350	28 200	4,0	Transfer from quota year 2003	782 550
IB	6	pieces	1 689 000	1 807 230	33 368	2,0	Transfer from quota year 2003	1 840 598
IB	7	pieces	302 000	259 062	12 080	4,0	Transfer from quota year 2003	271 142
IB	8	pieces	992 000	801 121	39 680	4,0	Transfer from quota year 2003	840 801
IIA	9	kg	294 000	320 460	11 760	4,0	Transfer from quota year 2003	332 220
IIB	13	pieces	3 192 000	3 479 280	127 680	4,0	Transfer from quota year 2003	3 606 960
IIA	20/39	kg	372 000	405 480	14 880	4,0	Transfer from quota year 2003	420 360
IIA	22	kg	332 000	288 653	13 280	4,0	Transfer from quota year 2003	301 933