COMMISSION REGULATION (EC) No 272/2004

of 16 February 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, initialled on 9 December 1988 and approved by Council Decision 90/647/EEC [2], and Article 8 of the Agreement between the European Community and the People's Republic of China on trade in textile products not covered by the MFA bilateral agreement, initialled on 19 January 1995 and approved by Council Decision 95/155/EC [3], both Agreements being as last amended by an Agreement in the form of an Exchange of Letters initialled on 19 May 2000 and approved by Council Decision 2000/787/EC [4], provide 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) On 17 December 2003 the People's Republic of China submitted a request for transfers of quantities from the quota year 2004 to the quota year 2003.

(3) 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 and Article 8 of the Agreement between the European Community and the People's Republic of China on trade in textile products not covered by the MFA bilateral agreement and as set out in Annex VIII to Council Regulation (EEC) No 3030/93.

(4) It is appropriate to grant the request.

(5) 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.

(6) 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 2003 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, 16 February 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 138/2003 (OJ L 23, 28.1.2003, p. 1).
[2] OJ L 352, 15.12.1990, p. 1.
[3] OJ L 104, 6.5.1995, p. 1.
[4] OJ L 314, 14.12.2000, p. 13.

ANNEX

720 CHINA						Adjustment Transfer from quota year 2004		
Group	Category	Unit	Limit 2003	Working level after previous adjustments	Working level after implementing normal flexibilities (transfer from quota year 2004 of 1 %)	Quantity	%	New adjusted working level
IA	2	kgs	29 132 000	29 897 241	30 188 561	582 640	2,0	30 771 201
IA	3	kgs	5 938 000	5 876 325	5 935 705	118 760	2,0	6 054 465
IB	4	pcs	82 818 000	84 208 042	85 036 222	1 656 360	2,0	86 692 582
IB	5	pcs	26 341 000	26 750 140	27 013 550	526 820	2,0	27 540 370
IB	6	pcs	28 199 000	28 738 019	29 020 009	563 980	2,0	29 583 989
IB	6S	pcs	1 228 000	1 228 877	1 241 157	24 560	2,0	1 265 717
IIA	9	kgs	6 079 000	6 667 258	6 728 048	121 580	2,0	6 849 628
IIA	20/39	kgs	9 633 000	10 282 817	10 379 147	385 320	4,0	10 764 467
IIB	12	prs	32 721 000	35 196 379	35 523 589	1 308 840	4,0	36 832 429
IIB	13	pcs	516 216 000	541 218 721	546 380 881	20 648 640	4,0	567 029 521
IIB	15	pcs	17 404 000	18 610 777	18 784 817	696 160	4,0	19 480 977
IIB	16	pcs	16 196 000	18 301 480	18 463 440	323 920	2,0	18 787 360
IIB	26	pcs	5 523 000	6 095 872	6 151 102	110 460	2,0	6 261 562
IIB	29	pcs	13 757 000	14 526 416	14 663 986	550 280	4,0	15 214 266
IIB	31	pcs	83 851 000	89 714 607	90 553 117	3 354 040	4,0	93 907 157
IIB	78	kgs	32 932 000	35 558 964	35 888 284	658 640	2,0	36 546 924
IIB	83	kgs	9 673 000	10 375 777	10 472 507	386 920	4,0	10 859 427
other	163	kgs	6 449 000	6 749 213	6 813 703	257 960	4,0	7 071 663
other	X115	kgs	1 239 000	1 329 130	1 342 180	10 390	0,8	1 352 570