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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 2037/76 of 18 August 1976 fixing the import levies on cereals and on wheat or rye flour groats and meal	1
Commission Regulation (EEC) No 2038/76 of 18 August 1976 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 2039/76 of 18 August 1976 fixing the import levies on rice and broken rice	5
Commission Regulation (EEC) No 2040/76 of 18 August 1976 fixing the premiums to be added to the import levies on rice and broken rice	7
Commission Regulation (EEC) No 2041/76 of 17 August 1976 establishing the standard average values for customs purposes of citrus fruits and apples and pears	9
★ Commission Regulation (EEC) No 2042/76 of 18 August 1976 amending as regards exports of white sugar during the marketing year 1976/77 Regulation (EEC) No 2101/75 on a standing invitation to tender	11
Commission Regulation (EEC) No 2043/76 of 18 August 1976 abolishing the countervailing charge on peaches originating in Greece	12
Commission Regulation (EEC) No 2044/76 of 18 August 1976 abolishing the countervailing charge on certain varieties of plums originating in Spain	13
Commission Regulation (EEC) No 2045/76 of 18 August 1976 altering the import levies on products processed from cereals and rice	14
Commission Regulation (EEC) No 2046/76 of 18 August 1976 fixing the import levies on white sugar and raw sugar	16

II Acts whose publication is not obligatory

Commission

76/663/EEC :

- ★ Commission Decision of 20 April 1976 authorizing the French Republic not to apply Community treatment to men's and boys' shirts, falling within heading No ex 61.03 of the Common Customs Tariff, originating in Romania and in free circulation in the other Member States 17

76/664/EEC :

- ★ Commission Decision of 31 May 1976 authorizing the Italian Republic not to apply Community treatment to certain under garments, knitted or crocheted, not elastic or rubberized, of synthetic textile fibres, falling within subheading 60.04 ex B of the Common Customs Tariff, originating in the Republic of Korea and in free circulation in the other Member States 18

76/665/EEC :

- ★ Commission Decision of 4 June 1976 authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to certain men's, boys', women's, girls' and infants' outer garments, falling within heading Nos ex 61.01 and ex 61.02 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States 20

76/666/EEC :

- ★ Commission Decision of 14 June 1976 authorizing the Italian Republic not to apply Community treatment to used scrapers, falling within subheading 84.23 A ex I of the Common Customs Tariff, originating in the United States, the Republic of South Africa, Australia and Japan and in free circulation in the other Member States 22

76/667/EEC :

- ★ Commission Decision of 14 June 1976 authorizing the Italian Republic not to apply Community treatment to used units of computers, falling within heading No ex 84.53 of the Common Customs Tariff, originating in the United States and in free circulation in the other Member States 23

76/668/EEC :

- ★ Commission Decision of 17 June 1976 authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to certain under garments, knitted or crocheted, not elastic or rubberized, falling within heading No ex 60.04 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States 24

76/669/EEC :

- ★ Commission Decision of 21 June 1976 authorizing the Italian Republic not to apply Community treatment to used straddle carriers, falling within heading No ex 87.07 of the Common Customs Tariff, originating in the United States and Japan and in free circulation in the other Member States 26

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2037/76**of 18 August 1976****fixing the import levies on cereals and on wheat or rye flour groats and meal**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1143/76⁽²⁾, and in particular
Article 13(5) thereof,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 1882/76⁽³⁾ and subsequent amending
Regulations;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 1882/76, to the

offer prices and today's quotations known to the
Commission that the levies at present in force should
be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in
Article 1(a), (b) and (c) of Regulation (EEC) No
2727/75 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 19 August
1976.

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

Done at Brussels, 18 August 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 130, 19. 5. 1976, p. 1.

⁽³⁾ OJ No L 206, 31. 7. 1976, p. 62.

ANNEX

to the Commission Regulation of 18 August 1976 fixing the import levies on cereals and on wheat or rye flour groats and meal

CCT heading No	Description of goods	(u.a./metric ton)
		Levies
10.01 A	Common wheat and meslin	52.07
10.01 B	Durum wheat	99.14 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	39.48 ⁽⁶⁾
10.03	Barley	24.88
10.04	Oats	15.05
10.05 B	Maize other than hybrid maize for sowing	36.41 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	35.61 ⁽⁴⁾
10.07 C	Grain sorghum	40.40 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	83.65
11.01 B	Rye flour	66.00
11.02 A I a	Durum wheat groats and meal	164.42
11.02 A I b	Common wheat groats and meal	90.35

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽²⁾ Where maize originated in the ACP or OCT is imported into the French overseas departments, the levy is reduced by 6 u.a./metric tons as provided for in Regulation (EEC) No 706/76.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./metric ton.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 2754/75 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 2038/76
of 18 August 1976
fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1143/76⁽²⁾, and in particular
Article 15 (6) thereof,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
1883/76⁽³⁾ and subsequent amending Regulations ;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be

altered as shown in the tables annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to
Article 15 of Regulation (EEC) No 2727/75, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 19 August
1976.

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

Done at Brussels, 18 August 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 130, 19. 5. 1976, p. 1.

⁽³⁾ OJ No L 206, 31. 7. 1976, p. 64.

ANNEX

to the Commission Regulation of 18 August 1976 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(n.a. / metric ton)

CCT heading No	Description of goods	Current 8	1st period 9	2nd period 10	3rd period 11
10.01 A	Common wheat and meslin	0	0.40	0.40	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	2.00	2.00	4.79
10.03	Barley	0	0	0	0.80
10.04	Oats	0	3.19	3.19	2.20
10.05 B	Maize other than hybrid maize for sowing	0	1.00	1.00	3.99
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other	0	0	0	0
11.01 A	Wheat or meslin flour	0	0.56	0.56	0

B. Malt

(n.a. / metric ton)

CCT heading No	Description of goods	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0.71	0.71	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0.53	0.53	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	1.42	1.42
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	1.06	1.06
11.07 B	Roasted malt	0	0	0	1.24	1.24

COMMISSION REGULATION (EEC) No 2039/76**of 18 August 1976****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, and in particular Article
11 (2) thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 1557/76 ⁽²⁾, as last
amended by Regulation (EEC) No 1993/76 ⁽³⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 1557/76
to the offer prices and today's quotations known to

the Commission that the levies at present in force
should be altered as shown in the table annexed to
this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 19 August
1976.

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

Done at Brussels, 18 August 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 172, 1. 7. 1976, p. 9.

⁽³⁾ OJ No L 219, 12. 8. 1976, p. 20.

ANNEX

to the Commission Regulation of 18 August 1976 fixing the import levies on rice and broken rice

(in t./metric ton)

CCT heading No	Description of goods	Third countries	ACP and OCT ⁽¹⁾ ⁽²⁾
10.06	Rice :		
	A. Paddy rice ; husked rice :		
	I. Paddy rice :		
	a) Round grain	104.25	49.13
	b) Long grain	102.65	48.33
	II. Husked rice :		
	a) Round grain	130.31	62.16
	b) Long grain	128.31	61.16
	B. Semi-milled or wholly milled rice :		
	I. Semi-milled rice :		
	a) Round grain	151.99	66.10
	b) Long grain	228.62	104.45
	II. Wholly milled rice :		
	a) Round grain	161.87	70.69
	b) Long grain	245.08	112.29
	C. Broken rice :	41.88	18.44

⁽¹⁾ Subject to the application of the provisions of Article 9 of Regulation (EEC) No 706/76.

⁽²⁾ In accordance with Regulation (EEC) No 706/76 provides that the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

COMMISSION REGULATION (EEC) No 2040/76

of 18 August 1976

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, and in particular Article
13 (6) thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 1755/76 ⁽²⁾, as last amended by Regulation (EEC)
No 1994/76 ⁽³⁾;

cif forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be

altered as shown in the table annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the import levies fixed
in advance in respect of rice and broken rice are
hereby fixed as shown in the table annexed to this
Regulation.

Article 2

This Regulation shall enter into force on 19 August
1976.

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

Done at Brussels, 18 August 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 23. 7. 1976, p. 7.

⁽³⁾ OJ No L 219, 12. 8. 1976, p. 22.

ANNEX

to the Commission Regulation of 18 August 1976 fixing the premiums to be added to the import levies on rice and broken rice

(u.s./metric ton)

CCT heading No	Description of goods	Current 8	1st period 9	2nd period 10	3rd period 11
10.06	Rice :				
	A. Paddy rice ; husked rice :				
	I. Paddy rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Husked rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	B. Semi-milled or wholly milled rice :				
	I. Semi-milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Wholly milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	C. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 2041/76**of 17 August 1976****establishing the standard average values for customs purposes of citrus fruits
and apples and pears**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Commission Regulation (EEC) No
1570/70 of 3 August 1970 establishing a system of
standard average values for citrus fruits⁽¹⁾, as last
amended by Regulation (EEC) No 1937/74 of 24 July
1974⁽²⁾, and in particular Article 2 thereof,

Having regard to Commission Regulation (EEC) No
1641/75 of 27 June 1975 establishing a system of
standard average values for the determination of the
value for customs purposes of apples and pears⁽³⁾, and
in particular Articles 2 and 8 thereof,

Whereas it follows from the application of the notes
and criteria laid down by Regulation (EEC) No
1570/70 and Regulation (EEC) No 1641/75 to the

elements communicated to the Commission in accor-
dance with Article 4 (1) of Regulation (EEC) No
1570/70 and Article 4 (1) of Regulation (EEC) No
1641/75 that the standard average values should be
fixed as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard average values provided for in Article 2
(1) of Regulation (EEC) No 1570/70 and in Article 2
(1) of Regulation (EEC) No 1641/75 shall be as shown
in the tables in the Annex.

Article 2

This Regulation shall enter into force on 20 August
1976.

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

Done at Brussels, 17 August 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 171, 4. 8. 1970, p. 10.

⁽²⁾ OJ No L 203, 25. 7. 1974, p. 25.

⁽³⁾ OJ No L 165, 28. 6. 1975, p. 45.

ANNEX

Table I: Citrus fruits

Code	Description of goods	Amount of standard average values/100 kg gross						
		Bfrs/Lfrs	Dkr	DM	FF	£ Irish	Lit	FI £ sterling
1.	Lemons :							
1.1	— Spain	940	145.80	60.73	120.05	13.43	20 020	64.61 13.43
1.2	— Tunisia, Morocco, Algeria	—	—	—	—	—	—	—
1.3	— Countries in southern Africa.	1 360	211.02	87.89	173.74	19.44	28 975	93.51 19.44
1.4	— Other African countries and countries on the Mediterranean	1 253	194.44	80.98	160.09	17.92	26 698	86.16 17.92
1.5	— USA	1 120	173.71	72.35	143.02	16.00	23 852	76.97 16.00
1.6	— Other countries	940	145.80	60.72	120.04	13.43	20 020	64.61 13.43
2.	Sweet oranges :							
2.1	— Countries on the Mediterranean :							
2.1.1	— Navels (with the exception of Navel sanguines), Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese blondes, Shamoutis, Ovalis, Trovita, Hamlins	732	113.60	47.31	93.53	10.47	15 599	50.34 10.47
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines	—	—	—	—	—	—	—
2.1.3	— Other	—	—	—	—	—	—	—
2.2	— Countries in southern Africa.	857	133.00	55.39	109.51	12.25	18 263	58.94 12.25
2.3	— USA	870	135.07	56.26	111.21	12.44	18 547	59.85 12.44
2.4	— Brazil	560	86.89	36.19	71.54	8.00	11 931	38.50 8.00
2.5	— Other countries	641	99.42	41.41	81.86	9.16	13 652	44.06 9.16
3.	Grapefruit and pomelos :							
3.1	— Tunisia, Morocco, Algeria	—	—	—	—	—	—	—
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	1 199	185.97	77.46	153.12	17.13	25 536	82.41 17.13
3.3	— Countries in southern Africa.	1 364	211.66	88.16	174.27	19.50	29 063	93.79 19.50
3.4	— USA	916	142.15	59.20	117.04	13.10	19 518	62.99 13.10
3.5	— Other American countries.	1 151	178.62	74.39	147.06	16.46	24 526	79.15 16.46
3.6	— Other countries	—	—	—	—	—	—	—
4.	Clementines.	—	—	—	—	—	—	—
5.	Mandarines including Wilkings	1 909	296.10	123.33	243.79	27.28	40 657	131.21 27.28
6.	Monreales and Satsumas	—	—	—	—	—	—	—
7.	Tangerines	548	85.08	35.43	70.05	7.84	11 682	37.70 7.84

Table II: Apples and pears

8.	Apples :								
8.1	— Countries of the southern hemisphere.	1 396	256.35	90.19	178.29	24.38	29 734	95.96	12.62
8.2	— European third countries	1 167	—	75.40	149.04	8.55	24 856	80.21	8.55
8.3	— Countries of the northern hemisphere other than European countries	—	—	—	—	—	—	—	—
9.	Pears :								
9.1	— Countries of the southern hemisphere.	—	246.96	—	—	19.61	—	—	19.61
9.2	— European third countries	505	174.47	32.64	64.52	14.61	10 760	34.72	14.61
9.3	— Countries of the northern hemisphere other than European countries	—	—	—	—	—	—	—	—

COMMISSION REGULATION (EEC) No 2042/76

of 18 August 1976

amending as regards exports of white sugar during the marketing year 1976/77

Regulation (EEC) No 2101/75 on a standing invitation to tender

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1487/76⁽²⁾, and in particular Articles 12 (2), 17 (5) and 19 (4) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2101/75 of 11 August 1975 on a standing invitation to tender in order to determine a levy and/or a refund on exports of white sugar⁽³⁾, as last amended by Regulation (EEC) No 1406/76⁽⁴⁾, the Member States have since 27 August 1975 been issuing partial invitations to tender for exports of white sugar; whereas, having regard to the current state and the foreseeable development of the Community sugar market and of the world market, it is possible to continue to issue such invitations; whereas Regulation (EEC) No 2101/75 should therefore be amended accordingly;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 (3) and (4) of Regulation (EEC) No 2101/75 is amended to read as follows:

'3. By way of derogation from paragraph 2 (b), the period for the submission of tenders:

- (a) due to expire on Wednesday, 17 November 1976 shall expire on Tuesday, 16 November 1976 at 10 a.m.;

- (b) due to expire on Wednesday, 8 December 1976 shall expire on Tuesday, 7 December 1976 at 10 a.m.

By way of derogation from paragraph 2, no partial invitation to tender will take place on Wednesday, 29 December 1976.

4. The time limits laid down in the previous paragraphs shall be regarded as:

- (a) brought forward by one hour in Ireland and in the United Kingdom during the period in which summer time does not apply in those Member States;
- (b) extended by one hour in the other Member States during the period in which they apply summer time.'

Article 2

The second subparagraph of Article 13 (2) of Regulation (EEC) No 2101/75 is amended to read as follows:

'However:

- (a) export licences issued in connection with the partial invitations to tender taking place between 19 August and 1 October 1976:
 - may be used only from 1 October 1976, and
 - shall be valid only until 31 December 1976;
- (b) export licences issued in connection with partial invitations held after 30 April 1977 shall be valid only until 30 September 1977.'

Article 3

This Regulation shall enter into force on 19 August 1976.

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

Done at Brussels, 18 August 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1976, p. 9.

⁽³⁾ OJ No L 214, 12. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 158, 19. 6. 1976, p. 24.

COMMISSION REGULATION (EEC) No 2043/76

of 18 August 1976

abolishing the countervailing charge on peaches originating in Greece

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 795/76⁽²⁾, and in
particular Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1693/76
of 13 July 1976⁽³⁾, as last amended by Regulation
(EEC) No 1927/76⁽⁴⁾, introduced countervailing
charges on peaches originating in Greece;

Whereas, for this product originating in Greece, there
were no prices for six consecutive working days;

whereas the conditions specified in Article 26 (1) of
Regulation (EEC) No 1035/72 are therefore fulfilled,
and the countervailing charge on imports of these
products originating in Greece can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1693/76 is hereby repealed.

Article 2

This Regulation shall enter into force on 19 August
1976.

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

Done at Brussels, 18 August 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽³⁾ OJ No L 190, 14. 7. 1976, p. 24.

⁽⁴⁾ OJ No L 210, 4. 8. 1976, p. 18.

COMMISSION REGULATION (EEC) No 2044/76

of 18 August 1976

abolishing the countervailing charge on certain varieties of plums originating in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 795/76⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2005/76 of 12 August 1976⁽³⁾ introduced a countervailing charge on certain varieties of plums originating in Spain;

Whereas the present trend of prices for Spanish products on the representative markets referred to in Regulation (EEC) No 2118/74⁽⁴⁾, as amended by

Regulation (EEC) No 385/75⁽⁵⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regulation, indicates that entry prices have been at least equal to the reference price for two consecutive market days; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Spain can be abolished;

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2005/76 is hereby repealed.

Article 2

This Regulation shall enter into force on 19 August 1976.

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

Done at Brussels, 18 August 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 93, 8. 4. 1976, p. 6.

⁽³⁾ OJ No L 220, 13. 8. 1976, p. 25.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 44, 18. 2. 1975, p. 8.

COMMISSION REGULATION (EEC) No 2045/76

of 18 August 1976

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1143/76⁽²⁾, and in particular
Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice⁽³⁾, and in particular Article
12 (4) thereof,

Whereas the import levies on products processed
from cereals and rice were fixed by Regulation (EEC)
No 1815/76⁽⁴⁾, as last amended by Regulation (EEC)
No 2006/76⁽⁵⁾;

Whereas the levy on the basic product as last fixed
differs from the average levy by more than 2.5 units of

account per metric ton of basic product; whereas,
pursuant to Article 1 of Regulation (EEC) No
1579/74⁽⁶⁾, the levies at present in force must there-
fore be altered as shown in the table annexed to this
Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products
processed from cereals and rice covered by Regulation
(EEC) No 2744/75⁽⁷⁾, as amended by Regulation
(EEC) No 832/76⁽⁸⁾, as fixed in the Annex to
amended Regulation (EEC) No 1815/76, are hereby
altered as shown in the table annexed to this Regula-
tion.

Article 2

This Regulation shall enter into force on 19 August
1976.

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

Done at Brussels, 18 August 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 130, 19. 5. 1976, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 202, 28. 7. 1976, p. 19.

⁽⁵⁾ OJ No L 220, 13. 8. 1976, p. 27.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 100, 14. 4. 1976, p. 1.

ANNEX

to the Commission Regulation of 18 August 1976 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./metric ton	
	Third countries (other than ACP and OCT)	ACP and OCT
11.01 G ⁽²⁾	43.66	41.16
11.02 A VII ⁽²⁾	43.66	41.16
11.02 B II a) ⁽²⁾	70.28	67.78
11.02 B II d) ⁽²⁾	67.06	64.56
11.02 C I ⁽²⁾	84.04	81.54
11.02 C VI ⁽²⁾	67.06	64.56
11.02 D I ⁽²⁾	54.48	51.98
11.02 D VI ⁽²⁾	43.66	41.16
11.02 E II a) ⁽²⁾	96.73	91.73
11.02 E II d) 2 ⁽²⁾	77.63	72.63
11.02 F I ⁽²⁾	96.73	91.73
11.02 F VII ⁽²⁾	43.66	41.16
11.02 G I	43.22	38.22
11.07 A I a)	99.71	90.71
11.07 A I b)	76.78	67.78
11.08 A III	85.11	68.11
11.09 A	273.84	123.84
23.02 A I a)	11.16	11.16
23.02 A I b)	35.72	35.72
23.02 A II a)	8.93	8.93
23.02 A II b)	35.72	35.72

^(*) For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

COMMISSION REGULATION (EEC) No 2046/76
of 18 August 1976
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1487/76 ⁽²⁾, and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1564/76 ⁽³⁾, as last amended by Regulation (EEC) No 2036/76 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1564/76 to the information at present available to the Commis-

sion that the levies at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 15 (1) of Regulation (EEC) No 3330/74 are, in respect of white sugar and standard quality raw sugar, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 19 August 1976.

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

Done at Brussels, 18 August 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1976, p. 9.

⁽³⁾ OJ No L 172, 1. 7. 1976, p. 31.

⁽⁴⁾ OJ No L 226, 18. 8. 1976, p. 15.

ANNEX

to the Commission Regulation of 18 August 1976 fixing the import levies on white sugar and raw sugar

<i>(n.a./100 kg)</i>		
CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid:	
	A. White sugar	13.38
	B. Raw sugar	13.23 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 April 1976

authorizing the French Republic not to apply Community treatment to men's and boys' shirts, falling within heading No ex 61.03 of the Common Customs Tariff, originating in Romania and in free circulation in the other Member States

(Only the French text is authentic)

(76/663/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 12 April 1976 by the French Government to the Commission by telex from the Office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to men's and boys' shirts falling within heading No ex 61.03 of the Common Customs Tariff, originating in Romania and in free circulation in the other Member States,

Whereas for the abovementioned shirts, France, in accordance with the Council Decision of 18 December 1975 ⁽¹⁾, has opened in respect of Romania an annual quota of FF 4 700 000, which has already been largely used up;

Whereas, according to information supplied by the French Government, there are serious economic difficulties in the shirt-making industry and a considerable drop in production, leading to unemployment in a number of factories;

Whereas the indirect imports of the products in question, account being taken of those already effected in 1976, would be likely to aggravate these economic difficulties;

Whereas it is not possible at the present time to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down by the Commission Decision of 12 May 1971 ⁽²⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to imports of men's and boys' shirts falling within heading No ex 61.03 of the Common Customs Tariff, where they originate in Romania and are in free circulation in the other Member States, and in respect of which applications for licences were lodged after 4 April 1976.

Article 2

This Decision shall apply until 31 December 1976.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 20 April 1976.

For the Commission

Christopher SOAMES

Vice-President

⁽¹⁾ OJ No L 332, 29. 12. 1975, p. 58.

⁽²⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 31 May 1976

authorizing the Italian Republic not to apply Community treatment to certain under garments, knitted or crocheted, not elastic or rubberized, of synthetic textile fibres, falling within subheading 60.04 ex B of the Common Customs Tariff, originating in the Republic of Korea and in free circulation in the other Member States

(Only the Italian text is authentic)

(76/664/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 21 May 1976 by the Italian Government to the Commission by telex from the Office of its Permanent Representative to the European Communities, for authorization to apply protective measures in respect of the importation of certain under garments, knitted or crocheted, not elastic or rubberized, of synthetic textile fibres, falling within subheading 60.04 ex B of the Common Customs Tariff, originating in the Republic of Korea and in free circulation in France,

Whereas the importation into the Community of the products in question originating in the Republic of Korea is the subject of an Agreement negotiated between the Community and that country, initialled on 28 November 1975;

Whereas, under the Agreement, the Republic of Korea has undertaken to take all necessary steps to limit its exports of certain textile products to the Community to certain ceilings allocated among the Member States;

Whereas, for the products falling within heading No ex 60.04 of the Common Customs Tariff, the quota share allocated to Italy for 1976 is 437 000 pieces, whereas the quota share allocated to the French Republic for the same product is 2 466 000 pieces;

Whereas the allocation of the voluntary restraint ceiling in question still involves certain disparities in the quota shares fixed for the various Member States in relation to the supply requirements of the markets concerned;

Whereas these disparities are likely to create an indirect trade flow which could aggravate the difficult situation in the textile industry;

Whereas the amount involved in request for a licence which gave rise to the application under Article 115 (129 950 pieces) proves that transactions of this kind are clearly worthwhile;

Whereas, according to information supplied by the Italian Government there are serious economic difficulties in the sector that manufactures the products in question, resulting in a progressive decline of production and a constant reduction of the number of workers employed in that sector;

Whereas the indirect imports in question would be likely to aggravate these economic difficulties;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the French Republic and the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions specified in the Commission Decision of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized not to apply Community treatment to imports of the following products:

CCT heading No	Description of goods
60.04 ex B	Under garments, knitted or crocheted not elastic or rubberized: — Of other textile materials

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

where they originate in the Republic of Korea and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 11 May 1976.

Article 2

This Decision shall apply until the opening of new import possibilities of the product in question into Italy from the Republic of Korea, and in any case not later than 31 December 1976.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 31 May 1976.

For the Commission

Christopher SOAMES

Vice-President

COMMISSION DECISION

of 4 June 1976

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to certain men's, boys', women's, girls' and infants' outer garments, falling within heading Nos ex 61.01 and ex 61.02 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(76/665/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 28 May 1976, by the Governments of the Benelux countries to the Commission by telex from the Office of the Permanent Representative of the Kingdom of the Netherlands to the European Communities, for authorization not to apply Community treatment to certain men's, boys', women's, girls' and infants' outer garments (trousers) falling within heading Nos ex 61.01 and ex 61.02 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the Federal Republic of Germany and the United Kingdom,

Whereas the importation into the Community of the products in question originating in Hong Kong is the subject of an Agreement negotiated between the Community and Hong Kong concluded on 8 April 1976;

Whereas pending the completion of the procedures necessary for the conclusion and entry into force of that Agreement, the Community and Hong Kong have agreed to recognize the *de facto* application of its provisions with effect from 18 July 1975;

Whereas, under the Agreement, Hong Kong has undertaken to take all necessary steps to limit its exports of certain textile products to the Community to certain ceilings allocated among the Member States;

Whereas for trousers, jeans, and the like (other than knitted and crocheted goods) for men, boys, women, girls and infants, the quota share allocated to the Benelux countries is 2 239 000 pieces (1976 annual quota) whereas the quota shares allocated to the Federal Republic of Germany and the United Kingdom for these products from the same third country are 21 610 000 and 25 953 000 pieces respectively;

Whereas disparities in the import terms of the products in question have created an indirect trade flow in the Benelux countries which threatens to continue and to grow;

Whereas according to information supplied by the Governments of the Benelux countries there are serious economic difficulties in the sector that manufactures the products in question resulting in a progressive decline of production and a constant reduction of the number of workers employed in that sector;

Whereas these economic difficulties are caused largely by unequal conditions of competition with certain countries (including Hong Kong), whereby such countries are enabled to export at prices lower than those of producers in the Benelux countries;

Whereas indirect imports of the products in question, which would be in addition to those already effected, would be likely to aggravate these economic difficulties;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the Federal Republic of Germany, the United Kingdom and the other Member States;

Whereas authorization should accordingly be given, for a limited period, for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down by the Commission Decision of 12 May 1971⁽¹⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

authorized not to apply Community treatment to imports of the following products:

CCT heading No	Description of goods
ex 61.01	Men's and 'boys' outer garments (other than knitted or crocheted goods): — Trousers
ex 61.02	Women's, girls' and infants' outer garments (other than knitted or crocheted goods): — Trousers

where they originate in Hong Kong and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 17 May 1976.

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of the products in question from Hong Kong and in any case not later than 31 December 1976.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 4 June 1976.

For the Commission

Christopher SOAMES

Vice-President

COMMISSION DECISION

of 14 June 1976

authorizing the Italian Republic not to apply Community treatment to used scrapers, falling within subheading 84.23 A ex I of the Common Customs Tariff, originating in the United States, the Republic of South Africa, Australia and Japan and in free circulation in the other Member States

(Only the Italian text is authentic)

(76/666/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 2 June 1976 by the Italian Government to the Commission by telex from the Office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to certain used scrapers falling within subheading 84.23 A ex I of the Common Customs Tariff, originating in the United States, the Republic of South Africa, Australia and Japan, and in free circulation in the other Member States,

Whereas Italy places restrictions on imports of products falling within Chapter 84 of the Common Customs Tariff originating in and coming from third countries, where they are used or are new but in poor condition ;

Whereas, because of the difficult situation faced by the corresponding domestic industry caused largely by a drop in demand, Italy allows imports of the products in question only in exceptional cases ;

Whereas in all the other Member States imports of the products in question from all third countries are liberalized ;

Whereas differences in the commercial policy measures applied by Italy and the other Member States are likely to give rise to deflection of trade ;

Whereas this deflection of trade could prevent the execution of the abovementioned measures of commercial policy currently being applied by Italy as regards third countries ;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the other Member States ;

Whereas authorization should be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down by the Commission Decision of 12 May 1971 ⁽¹⁾ and in particular Article 1 thereof ;

Whereas since these protective measures are applicable to used products or new products in poor condition, originating in third countries, they cannot be applied to products in free circulation in new condition in the other Member States,

HAS ADOPTED THIS DECISION :

Article 1

The Italian Republic is authorized not to apply Community treatment to used scrapers, falling within subheading 84.23 A ex I of the Common Customs Tariff, where they originate in the United States, the Republic of South Africa, Australia and Japan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 24 May 1976 and are, on the date of this Decision, pending before the Italian authorities.

Article 2

This authorization shall not apply to import transactions, in respect of which the importer furnishes proof that the products in question have been in free circulation in new condition in the other Member States.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 14 June 1976.

For the Commission

Christopher SOAMES

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 14 June 1976

authorizing the Italian Republic not to apply Community treatment to used units of computers, falling within heading No ex 84.53 of the Common Customs Tariff, originating in the United States and in free circulation in the other Member States

(Only the Italian text is authentic)

(76/667/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 1 June 1976 by the Italian Government to the Commission by telex from the Office of its Permanent Representative of the European Communities, for authorization not to apply Community treatment to used units of computers falling within heading No ex 84.53 of the Common Customs Tariff, originating in the United States and in free circulation in the other Member States,

Whereas Italy places restrictions on imports of products falling within Chapter 84 of the Common Customs Tariff originating in and coming from third countries where they are used or are new but in poor condition;

Whereas, because of the difficult situation faced by the corresponding domestic industry caused largely by a drop in demand, in this context, there are no opportunities for importation into Italy, Italy allows imports of the products in question only in exceptional cases;

Whereas in all the other Member States imports of the products in question from all third countries are liberalized;

Whereas differences in the commercial policy measures applied by Italy and the other Member States are likely to give rise to deflection of trade;

Whereas this deflection of trade could prevent the execution of the abovementioned measures of commercial policy currently being applied by Italy as regards third countries;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the Federal Republic of Germany and the other Member States;

Whereas authorization should be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down by the Commission Decision of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof;

Whereas since these protective measures are applicable to used products or new products in poor condition, originating in third countries, they cannot be applied to products in free circulation in new condition in the other Member States,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized not to apply Community treatment to used units of computers; falling within heading No ex 84.53 of the Common Customs Tariff, where they originate in the United States and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 24 May 1976 and are, on the date of this Decision, pending before the Italian authorities.

Article 2

This authorization shall not apply to import transactions, in respect of which the importer furnishes proof that the products in question have been in free circulation in new condition in the other Member States.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 14 June 1976.

For the Commission

Christopher SOAMES

Vice-President

(¹) OJ No L 121, 3. 6. 1971, p. 26.

COMMISSION DECISION

of 17 June 1976

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to certain under garments, knitted or crocheted, not elastic or rubberized, falling within heading No ex 60.04 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(76/668/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 11 and 14 June 1976 by the Governments of the Benelux countries to the Commission by telex from the Office of the Permanent Representatives of the Kingdom of the Netherlands and the Kingdom of Belgium to the European Communities, for authorization not to apply Community treatment to certain under garments, knitted or crocheted, not elastic or rubberized: shirts, T-shirts, undervests, singlets and the like, falling within heading No ex 60.04 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the Federal Republic of Germany,

Whereas the importation into the Community of the products in question originating in Hong Kong is the subject of an Agreement negotiated between the Community and Hong Kong concluded on 8 April 1976;

Whereas, under the Agreement, Hong Kong has undertaken to take all necessary steps to limit its exports of certain textile products to the Community to certain ceilings allocated among the Member States;

Whereas, for certain under garments, knitted or crocheted, not elastic or rubberized the quota share allocated for 1976 to the Benelux countries is 1 288 000 items;

Whereas the allocation of the ceiling in question still involves certain disparities in the quota shares fixed for the various Member States in relation to the supply requirements of the markets concerned;

Whereas these disparities have caused in the Benelux countries a flow of imports of the products in question, originating in Hong Kong and in free circulation in the other Member States, which threatens to continue and to grow;

Whereas according to information supplied by the Governments of the Benelux countries there are serious economic difficulties in the branch of the textile industry in question resulting in a progressive decline of production and a constant reduction of the number of workers employed in that sector;

Whereas these economic difficulties are caused largely by unequal conditions for competition with certain countries (including Hong Kong), whereby such countries are enabled to export at prices lower than those of producers in the Benelux countries;

Whereas the indirect imports in question, which would be in addition to those already effected, would be likely to aggravate these economic difficulties;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the Federal Republic of Germany and the other Member States;

Whereas authorization should be given, for a limited period, for the application of protective measures, under the first paragraph of Article 115, subject to the conditions laid down by the Commission Decision of 12 May 1971⁽¹⁾, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to imports of the following products:

CCT heading No	Description of goods
ex 60.04	Under garments, knitted or crocheted, not elastic or rubberized: shirts, T-shirts, undervests, singlets and the like

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.

where they originate in Hong Kong and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 31 May 1976.

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of the products in question from Hong Kong and in any case not later than 31 December 1976.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 17 June 1976.

For the Commission

Christopher SOAMES

Vice-President

COMMISSION DECISION

of 21 June 1976

authorizing the Italian Republic not to apply Community treatment to used straddle carriers, falling within heading No ex 87.07 of the Common Customs Tariff, originating in the United States and Japan and in free circulation in the other Member States

(Only the Italian text is authentic)

(76/669/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 11 June 1976 by the Italian Government to the Commission by telex from the Office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to used straddle carriers falling within heading No ex 87.07 of the Common Customs Tariff, originating in the United States and Japan and in free circulation in the other Member States,

Whereas Italy places restrictions on imports of products falling within Chapter 87 of the Common Customs Tariff, originating in and coming from third countries, where they are used or are new but in poor condition;

Whereas because of the difficult situation faced by the corresponding domestic industry caused largely by a drop in demand, Italy allows imports of the products in question only in exceptional cases;

Whereas in all the other Member States imports of the products in question from all third countries are liberalized;

Whereas differences in the commercial policy measures applied by Italy and the other Member States are likely to give rise to deflection of trade;

Whereas this deflection of trade could prevent the execution of the abovementioned measures of commercial policy currently being applied by Italy as regards third countries;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should be given for the application of protective measures under the first paragraph

of Article 115, subject to the conditions laid down by the Commission Decision of 12 May 1971 ⁽¹⁾, and in particular Article 1 thereof;

Whereas since these protective measures are applicable to used products or new products in poor condition, originating in third countries, they cannot be applied to products in free circulation in new condition in the other Member States,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized not to apply Community treatment to used straddle carriers, falling within heading No ex 87.07 of the Common Customs Tariff, where they originate in the United States and Japan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 31 May 1976 and are, on the date of this Decision, pending before the Italian authorities.

Article 2

This authorization shall not apply to import transactions, in respect of which the importer furnishes proof that the products in question have been in free circulation in new condition in the other Member States.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 21 June 1976.

For the Commission

Christopher SOAMES

Vice-President

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.