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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 299/77

of 8 February 1977

concluding the Agreement between the European Economic Community and the
Federative Republic of Brazil on trade in textile products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community, and in particular
Article 113 thereof,

Having regard to the recommendation from the
Commission,

Whereas the Agreement on trade in textile products
negotiated between the European Economic Com-
munity and the Federative Republic of Brazil should
be concluded,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Economic
Community and the Federative Republic of Brazil

on trade in textile products is hereby concluded on
behalf of the Community.

The text of the Agreement is annexed to this Regu-
lation.

Article 2

The President of the Council shall notify the other
Contracting Party of the completion by the Com-
munity of the procedures necessary for the entry into
force of the Agreement ⁽¹⁾.

Article 3

This Regulation shall enter into force on the third
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, 8 February 1977.

For the Council
The President
Anthony CROSLAND

⁽¹⁾ The date of entry into force of the Agreement will be
published in the *Official Journal of the European
Communities*.

AGREEMENT

between the European Economic Community and the Federative Republic of Brazil
on trade in textile products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL,

of the other part,

DESIRING to ensure the orderly and equitable development of trade in textiles between the European Economic Community (hereinafter referred to as 'the Community') and Brazil,

HAVING REGARD to the provisions of the Arrangement regarding international trade in textiles (hereinafter referred to as 'the Geneva Arrangement') and in particular Article 4 thereof,

HAVE DECIDED, in a spirit of mutual cooperation and in conformity with the Geneva Arrangement, to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL:

WHO HAVE AGREED AS FOLLOWS:

Article 1

The Parties recognize and confirm that, subject to the provisions of this Agreement and without prejudice to their rights and obligations under the General Agreement on tariffs and trade, the conduct of their mutual trade in textiles shall be governed by the provisions of the Geneva Arrangement.

Article 2

1. In respect of those categories of textile products which are set out in Annex I, being textile products originating in and dispatched from Brazil, and subject to the satisfactory operation of this Agreement, the Community shall not introduce new quantitative restrictions, shall suspend the operation of any previously in force, and shall refrain from invoking the provisions of Article 3 of the Geneva Arrangement,

provided that exports to the Community of such textile products originating in and dispatched from Brazil do not exceed the agreed quantitative limits.

2. The Government of the Federative Republic of Brazil shall establish quantitative limits on exports to the Community in accordance with Annex I, and undertakes to take the appropriate measures to ensure that the quantitative limits shown therein are not exceeded.

3. The Community shall not object to the aforementioned quantitative limits being exceeded in the event of additional demand developing on the market of the Community, on the understanding that the additional quantities shall be fixed by common agreement between both Parties.

4. Quantities of the quota shares set out in Annex I not taken up by a Member State of the Community

may be re-allocated to another Member State in accordance with the procedures in force in the Community. The Community undertakes to respond within four weeks of its receipt to any request made by the Government of the Federative Republic of Brazil for such reallocation. It is understood that any re-allocation so effected would not need to be confined within any limits set in flexibility provisions established elsewhere in this Agreement.

5. All other quantitative restrictions which have been notified by the Community to the Textiles Surveillance Body under Article 2 (1) of the Geneva Arrangement, shall, unless justified under the provisions of GATT or included in agreements negotiated or measures adopted pursuant to the provisions of Article 3 of the Geneva Arrangement, be suspended as soon as possible after the conclusion of the Agreement and in any case by 31 March 1977.

6. The Parties shall cooperate in implementing the measures necessary for the purpose of this Article.

Article 3

1. With the exception of Category No 2 (woven fabrics of cotton, unbleached and bleached), imports into the Community of the textile products shown in Annex I which are for immediate re-export or for inward processing and subsequent re-export outside the Community shall not be subject to quantitative limits established under this Agreement, provided they are entered as such under an administrative system of control in force for this purpose within the Community.

2. In any case where the competent authorities within the Community ascertain that imports described in paragraph 1 above have been retained for consumption within the Community, the latter will notify the Government of the Federative Republic of Brazil on a quarterly basis of the amounts involved. Brazil shall in such cases at the request of the Community, charge such amounts against the quantitative limit or limits in question for the current calendar year or for the next following year.

3. In any case where the competent authorities within the Community ascertain under an administrative system of control in force that imports of textile products shown in Annex I have been charged against quantitative limits established therein but subsequently re-exported outside the Community, the competent authority concerned will inform the Brazilian authorities on a quarterly basis of the

quantities which shall not be charged to the quantitative limits.

Article 4

1. The Parties shall enter promptly into consultations with each other, at the request of either and in conformity with the provisions of the Geneva Arrangement, on any problems arising from the application of this Agreement. Consultations held under the provisions of this Article shall be approached by both Parties in a spirit of compromise and with a view to the conciliation of differences existing between them.

2. The Parties shall consult as soon as possible within 30 days following the request and will make their best efforts to complete such consultations within 30 days of their commencement.

3. In the event that the Parties are unable, within a reasonable period of time, to reach a satisfactory solution during the consultations provided for in this Article, either of the Parties may refer the matter to the Textiles Surveillance Body in accordance with Article 11 (4) of the Geneva Arrangement. The Party choosing to adopt such a course of action shall notify the other of its intention.

Article 5

If, having regard to the provisions of the Geneva Arrangement, either Party considers that it is being placed in an inequitable position in respect of trade in textiles as compared with a third country, that Party may seek consultations with the other with a view to taking appropriate remedial action.

Article 6

1. Portions of any quantitative limit shown in Annex I which are not used during any calendar year may be carried over and added to the corresponding quantitative limit in the following year, within a limit of 10% of the latter.

2. Within a limit of 10% of each of the quantitative limits shown in Annex I, advance deliveries shall be authorized from the corresponding quantitative limit established for the following year. Amounts delivered in advance shall be deducted from the quantitative limits for the products in question for the following year.

3. Within any one calendar year, unused portions of quantitative limits shown in Annex I in respect of any region of the Community market may be transferred to another quantitative limit established

for that same region of the Community market within a ceiling of 7% of the recipient quantitative limit.

4. The preceding flexibility provisions shall not, in any given year, result in a quantitative limit for any category being exceeded by more than 15% of the quantitative limit for that category for that year.

5. The flexibility provisions contained in this Article may only be applied by Brazil following written notification to the Community by the Brazilian authorities.

Article 7

Brazil shall endeavour to ensure that exports of all textile products for which quantitative limits are shown in Annex I are spaced out as evenly as possible over each calendar year, due account being taken, in particular, of seasonal factors.

Article 8

The Parties shall exchange all useful information concerning their mutual trade in textiles in order to ensure the successful implementation of this Agreement.

Article 9

The quantitative limits shown in Annex I shall be administered under a system of double checking, the details of which are set out in Annex II to this Agreement.

Article 10

1. The Parties shall take all possible measures to ensure that traditional channels and methods of trade between them are maintained.

2. Should either Party inform the other that the application of this Agreement has given rise to difficulties regarding the maintenance of existing commercial relations between importers in the Community and their suppliers in Brazil, the Parties will consult together in accordance with the procedures set out in Article 4 above.

Article 11

This Agreement shall apply to the territories where the Treaty establishing the European Economic Community applies, on the conditions established in the said Treaty, and to the territory of the Federative Republic of Brazil.

Article 12

1. This Agreement shall enter into force on the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for the purpose. It shall remain in force until 31 December 1977.

2. This Agreement shall have effect from 1 January 1976.

3. Either Party may at any time propose modifications to this Agreement or denounce it provided that notice is given at least 120 days before the expiry of any 12-month period; in the latter event the Agreement will come to an end at the expiry of the said 12-month period.

4. The Annexes to this Agreement shall form an integral part thereof.

Article 13

This Agreement shall be drawn up in two copies in the Danish, Dutch, English, French, German, Italian and Portuguese languages, each of these texts being equally authentic.

ANNEX I

Products for which Brazil will exercise restraint towards the whole Community from the entry into force of this Agreement

The Community hereby notifies Brazil that the quantitative limits for the textile products listed below will be allocated between the Member States as follows:

Category No	Product category or subcategory	Community region	Quantitative limits (tonnes)	
			1976	1977
1	55.05 Cotton yarn	D	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 Woven fabrics of cotton, unbleached and bleached	D	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 Woven fabrics of cotton, other than unbleached and bleached	D	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 Bed linen, table linen, toilet linen and kitchen linen of cotton	D	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 II

As agreed between the Parties in Article 9 of the Agreement, the administration of textile imports from Brazil will be based on a system of double checking. The details of this system have been agreed between the Parties and are set out below.

The competent authorities within the Community will, automatically and without delay, accept imports of textile products on submission of the importer's application together with the original export certificate. The competent authorities within the Community shall be entitled to require the presentation of an export certificate in respect of goods originating in Brazil of the categories shown in Annex I.

These export certificates will be validated by the Brazilian authorities up to the total amount of the agreed ceilings.

The export certificates issued by the Brazilian authorities shall be applicable to the products shown in Annex I.

The export certificate must specify or contain:

1. destination within the Community,
2. serial number,
3. importer's name and address,
4. exporter's name and address,
5. net weight (in kilograms or tonnes) and value,
6. category and description of product,
7. certification by the Brazilian authorities that the quantity has been debited against the agreed ceiling for exports to the Community or, where appropriate, is for immediate re-export or for inward processing and subsequent re-export outside the Community.

The competent authorities within the Community will not raise difficulties in the event of a discrepancy between the weight indicated in the export certificate and the shipment or import weight provided it is within reasonable limits, while the Brazilian authorities, for their part, will endeavour to keep any discrepancies to a minimum.

In the event of total or partial withdrawal of an export certificate the Brazilian authorities will notify the competent authorities within the Community of such total or partial withdrawal. The authorities of the Member States of the Community will take the appropriate measures in accordance with their existing administrative provisions.

The Brazilian authorities will forward to the competent authorities within the Community, via the Representations of the Member States of the Community and directly to the Commission, quarterly returns showing the total net weight in tonnes covered by the export certificates issued against the quantitative limits for exports to the Member States of the Community, for all categories of textile exports to the Community to which this Agreement applies.

The Community will forward to the authorities of Brazil, on a quarterly basis, precise statistical information of imports of such products into the Community.

COUNCIL REGULATION (EEC) No 300/77
of 8 February 1977
concluding the Agreement between the European Economic Community and Macao
on trade in textile products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

The text of the Agreement is annexed to this Regulation.

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Article 2

Whereas the Agreement on trade in textile products negotiated between the European Economic Community and Macao should be concluded;

The President of the Council shall notify the other Contracting Party of the completion by the Community of the procedures required for the entry into force of the Agreement ⁽²⁾.

Whereas the import arrangements for certain textile products originating in Macao laid down by Regulation (EEC) No 116/77 ⁽¹⁾ permit the application of the provisions of this Agreement,

HAS ADOPTED THIS REGULATION:

Article 3

Article 1

The Agreement between the European Economic Community and Macao on trade in textile products is hereby concluded on behalf of the Community.

This Regulation shall enter into force on the third 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, 8 February 1977.

For the Council

The President

Anthony CROSLAND

⁽¹⁾ OJ No L 19, 22. 1. 1977, p. 14.

⁽²⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities*.

AGREEMENT

between the European Economic Community and Macao on trade in textile products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF MACAO,

of the other part,

DESIRING to ensure the orderly and equitable development of trade in textiles between the European Economic Community (hereinafter referred to as 'the Community') and Macao,

HAVING REGARD to the provisions of the Arrangement regarding international trade in textiles (hereinafter referred to as 'the Geneva Arrangement') and in particular Article 4 thereof,

HAVE DECIDED, in a spirit of mutual cooperation and in conformity with the Geneva Arrangement, to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF MACAO:

WHO HAVE AGREED AS FOLLOWS:

Article 1

1. The Parties recognize and confirm that, subject to the provisions of this Agreement and without prejudice to their rights and obligations under the General Agreement on tariffs and trade, the conduct of their mutual trade in textile products shall be governed by the provisions of the Geneva Arrangement.

2. This Agreement shall apply to trade in those categories of textile products originating in and coming from Macao which are listed in Annexes I and II and to those referred to in Article 4 below.

3. Macao agrees to establish quantitative limits on exports to the Community in accordance with the schedule set out in Annex I.

Article 2

1. The Community undertakes, in respect of the categories of textile products to which this Agreement applies, and subject to the satisfactory operation of this Agreement, not to introduce new quantitative restrictions and to refrain from invoking Article 3 of the Geneva Arrangement provided that exports to the Community of these textile products originating in and coming from Macao do not exceed the quantitative limits established under this Agreement.

2. The Macao authorities undertake to take all appropriate measures to ensure that the agreed quantitative limits are not exceeded.

3. The Community shall not object to the quantitative limits referred to being exceeded in the event of additional demand on the Community market, on the understanding that the additional quantities shall be fixed by common agreement between the two parties.

Article 3

1. Imports into the Community of textile products covered by this Agreement which are for immediate re-export or for inward processing and subsequent re-export outside the Community shall not be subject to the quantitative limits established under this Agreement, provided they are entered as such under an administrative system of control in force for this purpose within the Community.

2. Where Community authorities ascertain that the products imported and referred to in paragraph 1 have been retained for use within the Community, the latter will notify the Government of Macao quarterly of the amounts involved. Macao shall in such cases and at the request of the Community set off such amounts against the quantitative limit or limits in question for the current year or for the following year.

3. In any case where the competent authorities in the Community ascertain under an administrative system of control in force that imports of textile products covered by this Agreement have been set off against quantitative limits established under this Agreement but have subsequently been re-exported outside the Community, the competent authorities concerned shall inform the Macao authorities of the quantities involved and authorize imports of equivalent quantities, which shall not be set off against the quantitative limits established by the Agreement.

Article 4

1. Both Parties agree to enter promptly into consultations with each other, at the request of either and in conformity with the provisions of the Geneva Arrangement, on any matter concerning their trade in textiles and in particular on any problems arising from the application of this Agreement. Such consultations shall be approached by both Parties in a spirit of compromise and with a view to the conciliation of differences existing between them.

2. The Community may, in particular, whenever conditions in its market give rise to real risks of market disruption, request consultations with Macao in accordance with the procedure laid down in paragraph 5 below for the products listed in Annex II.

3. If, in the opinion of the Community, imports into the Community of textile products in direct competition with those covered by this Agreement cause a real risk of market disruption, the Community may request consultations with Macao under identical conditions to those specified in paragraph 5 of this Article.

4. If an excessive concentration of trade in any specific products within a category listed in Annex II causes a real risk of market disruption in respect of those products, the Community may request consultations with Macao under identical conditions to those specified in paragraph 5 of this Article.

5. In the cases defined in paragraphs 2, 3, and 4 of this Article, Macao will, in accordance with the Community's request, limit its exports of the products or categories of products in question to the Community market or to the Community market in one or more of its Member States, pending a mutually satisfactory conclusion to the said consultations, to a level indicated by the Community which, as an annual rate, may not be lower than 107% of the imports recorded for the products or categories of products in question during the 12 months ending three months before that in which the request for consultation was made.

6. Consultations shall be held at the request of Macao in order to review the need for the maintenance or modification of any quantitative restrictions established under this Article, whenever the market conditions which led to the establishment of such restrictions no longer prevail.

Article 5

1. Portions of any quantitative limit established under this Agreement which are not used during any given period may be carried over and added to the corresponding quantitative limits for the following period, within a limit of 10% of the latter ceiling.

2. Within a limit of 10% of each ceiling established under this Agreement, advance deliveries shall be authorized from the corresponding ceiling in force for the following period. Amounts dispatched in advance shall be deducted from the ceiling for the products in question for the following period.

3. During each period of application of this Agreement, unused portions of quantitative ceilings established under this Agreement for one of the

regions of the Community market may be transferred under the conditions set out below to another quantitative ceiling established for the same region of the Community market.

Transfers may be effected under this Agreement:

(i) to categories

ex 60.05 01 and 21 to 39	(Jerseys, pullovers, slipovers, twinsets, cardigans, jackets and blouses, knitted or crocheted)
ex 61.01 61 and 69	(Men's, boys', women's, girls' and infants' trousers, shorts and jeans)
ex 61.02 91 to ex 99	
ex 61.03 11 to 19	(Men's shirts)
ex 61.03	(Pyjamas)
ex 62.02	(Bed linen table linen, toilet linen and kitchen linen; curtains and other furnishing articles except net curtains)

provided that such transfers do not exceed 7% of the quantitative limit for the category to which they are made;

(ii) to categories

61.02.81 to 89	(Women's shirts and blouses)
61.05.30	(Cotton handkerchiefs)

provided that such transfers do not exceed 5 % of the quantitative limit for the category to which they are made;

(iii) in so far as the quantities which are transferred to a quantitative limit are debited from other quantitative limits on the basis of the table of equivalences given in Annex IV;

(iv) in so far as a transfer is made to a quantitative limit only once during each period of application of the Agreement.

4. The preceding flexibility provisions must not, in any given period of the Agreement, lead to the ceiling for any category being exceeded by more than 15% of the ceiling for the category and period in question.

5. The flexibility provisions contained in this Article may be applied by Macao only after written notification to the Community by the Macao authorities.

Article 6

1. The following textile products shall be imported into the Community from Macao without quantitative restrictions, on condition that they fall within one of the definitions set out below:

- (i) cotton handloom fabrics of the cottage industry, containing not more than 5% by weight of man-made fibres, being fabrics which are both traditionally of the kind woven on handlooms and actually woven on a loom for which the motive power is provided entirely by the operators (that is where the three primary movements of weaving, namely shedding, picking and beating, are induced by hand or foot and no other source of power is used);
- (ii) handmade goods made up by the cottage industry from such cotton handloom fabrics;
- (iii) jerseys and pullovers knitted by hand from wool yarns without use of a machine;
- (iv) textile products of traditional Macao folklore cut, sewn, or otherwise fabricated by hand in cottages which are units of the cottage industry.

2. The admission of these products into the Community without quantitative restrictions shall be subject to the proper functioning of the agreed arrangements concerning certification.

Article 7

Macao will make every endeavour to ensure that exports of all textile products for which quantitative limits may be established under this Agreement are spaced out as evenly as possible over each period of the Agreement, due account being taken, in particular, of seasonal factors.

Article 8

The two Parties agree to exchange all relevant information concerning their trade in textiles in order to ensure the smooth functioning of this Agreement.

Article 9

1. The Parties agree that the quantitative limits established under this Agreement shall be managed under a system of double checking, the details of which are set out in Annex VI to this Agreement.

2. Macao therefore undertakes to furnish the Community quarterly with statistical information on all export licences issued by the Macao authorities for all categories of textile exports to the Community and covered by this Agreement.

3. The Community shall likewise forward quarterly to the Macao authorities statistical information on imports of the products in question into the Community.

Article 10

1. Both Parties shall take all appropriate measures to ensure that the traditional trade flows and commercial practices are maintained between the Community and Macao.

2. Should either Party inform the other that the functioning of this Agreement has given rise to difficulties regarding the maintenance of existing commercial relations between importers in the Community and their suppliers in Macao, the Parties agree to consult together in accordance with the procedures in Article 4 (1) above.

Article 11

Without prejudice to the other provisions of this Agreement, Macao agrees that the quantitative restrictions on imports into Ireland of the following textile products may be maintained until 30 June 1977 at the latest.

CCT heading No

55.05	Cotton yarn, not put up for retail sale
55.06	Cotton yarn, put up for retail sale
55.07	Cotton gauze.

Article 12

This Agreement shall apply to the territories where the Treaty establishing the European Economic Community applies, on the conditions laid down in that Treaty, and to the territory of Macao.

Article 13

1. This Agreement shall enter into force on the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose. It shall remain applicable until 31 December 1977.

2. This Agreement shall enter into force, in the manner defined in paragraph 1 of this Article, with retroactive effect from 1 October 1975.

3. Either Party may at any time propose modifications to this Agreement or denounce it provided that notice is given at least 120 days before the expiry of any 12-month period. In the latter event the Agreement will come to an end at the expiry of the said 12-month period.

4. The Annexes to this Agreement shall form an integral part thereof.

Article 14

This Agreement shall be drawn up in two copies in the Danish, Dutch, English, French, German, Italian and Portuguese languages, each of these texts being equally authentic.

ANNEX I

Products in respect of which Macao will exercise voluntary restraint *vis-à-vis* the Community as a whole from the entry into force of the Agreement

The Community hereby informs Macao that the quantitative limits for the textile products listed below will be allocated between the Member States as follows:

CCT heading No	Nimexe code	Description	Community region	Quantitative limits (1 000 units)	
				1. 10. 1975 to 31. 12. 1976	1977
ex 61.01 ex 61.02	61 to 69 ex 91 to ex 99	Men's, boys', women's, girls' and infants' trousers, shorts and jeans	D	6 770	5 691
			F	3 206	2 766
			I	1 778	1 694
			BNL	1 507	1 351
			UK	256	408
			IRL	11	17
			DK	33	53
			EEC	13 561	11 980

ANNEX II

Products subject to the special consultation procedure provided for in Article 4

CCT heading No	Description
ex 60.05	Jerseys, pullovers, slipovers, twinsets, cardigans, jackets and blouses, knitted or crocheted
ex 61.01 ex 61.02	Men's, boys', women's, girls' and infants' outer garments, other than trousers, shorts and jeans
61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs: — Shirts — Other
61.05.30	Cotton handkerchiefs
62.02 B	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles except net curtains

ANNEX III

PROTOCOL

to the Agreement between the European Economic Community and Macao on trade in textile products

1. In accordance with Article 4 of the Agreement on trade in textile products concluded between the Community and Macao, consultations have taken place between the Parties regarding imports from Macao into the Community of the textile products shown below.

2. As agreed at the abovementioned consultations Macao will limit its exports of the products below to the regions of the Community market to the levels indicated.

CCT heading No	Description	Region of the Community market where the quantitative limit applies	Unit	Quantitative limits	Periods
ex 60.05 01 and 21 to 39	Jerseys, pullovers, slipovers, twinsets, cardigans, jackets and blouses, knitted or crocheted	BNL	items	600 000	1. 10. 1975 to 31. 12. 1976
		F	items	2 220 000	
61.02 81 to 89	Women's shirts and blouses	F	items	1 600 000	
ex 61.03 11 to 19	Men's and boys' shirts	BNL	items	400 000	1. 1. 1976 to 31. 12. 1976
		F	items	2 459 200	
ex 61.03	Pyjamas	F	items	2 014 000	
61.05.30	Cotton handkerchiefs	BNL	tonnes	90	1. 10. 1975 to 31. 12. 1976
		F	tonnes	83·3	1. 1. 1976 to 31. 12. 1976
		I	tonnes	273·3	1. 10. 1975 to 31. 12. 1976
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles of cotton, except net curtains	I	tonnes	320	1. 10. 1975 to 31. 12. 1976

3. If the abovementioned limits remain in force for one or more additional periods of 12 months, the level for that period will not be lower than that in force during the preceding 12-month period, with an increase of at least 7% and, for cotton handkerchiefs, of at least 2%.

ANNEX IV

Table of equivalences for the application of Article 5

CCT heading No	Description	Equivalences
ex 60.05	Jerseys, pullovers, slipovers, cardigans, jackets and blouses, knitted or crocheted	5.18 items/kg
ex 61.01 ex 61.02	Men's, boys', women's, girls' and infants' trousers, shorts and jeans	2.47 items/kg
ex 61.02	Women's shirts and blouses	5.55 items/kg
ex 61.03	Men's and boys' shirts	4.60 items/kg
ex 61.03	Pyjamas	3.22 items/kg

ANNEX V

Cottage industry textile products

1. In accordance with Article 12 (3) of the Geneva Arrangement, the Community and Macao have agreed, in Article 6 of the Agreement that, subject to certain conditions, exports from Macao of certain cottage industry textile products shall be admitted to the Community free of quantitative restrictions. The conditions set out in Article 6 (2) of the Agreement provide that the admission of these products into the Community without quantitative restrictions shall be subject to the proper functioning of the agreed arrangements concerning certification.

2. The Community and Macao hereby agree that, for the implementation of Article 6 of the Agreement, the certificate given below will be used as a model:

‘Certificate in respect of cottage industry textile products referred to in Article 6 of the Agreement between the European Economic Community and Macao on trade in textile products:

- name and address of manufacturer,
- name and address of exporter,
- name and address of importer within the Community,
- description of goods,
- quantity (in tonnes),
- name of vessel or flight number,
- port or airport of destination.

This is to certify that the above shipment consists of:

- (i) cotton handloom fabrics of the cottage industry, containing not more than 5% by weight of man-made fibres, being fabrics which are both traditionally of the kind woven on handlooms and actually woven on a loom for which the motive power is provided entirely by the operators (that is where the three primary movements of weaving, namely shedding, picking and beating, are induced by hand or foot and no other source of power is used);
- (ii) handmade goods made up by the cottage industry from such cotton handloom fabrics;
- (iii) jerseys and pullovers knitted by hand from wool yarns without use of a machine;
- (iv) textile products of traditional Macao folklore cut, sewn, or otherwise fabricated by hand in cottages which are units of the cottage industry.’

3. The issuing authority for the above certificates shall be:

Repartição Provincial de Serviços de Economia.

ANNEX VI

As agreed between the Parties in Article 9 of the Agreement, the administration of textile imports from Macao will be based on a system of double checking. The details of this system have been agreed between the Parties and are set out below.

The competent authorities in the Community will, automatically and without delay, accept imports of textile products on submission of the importer's application together with the export licence issued by the competent Macao Government authorities ⁽¹⁾. The competent authorities in the Community will be authorized to request the presentation of the export licence in respect of goods originating in Macao of the categories shown in Annex I and (where Article 4 has been invoked) in Annex II. These export licences will be issued by the Macao Government authorities up to the total amount of the agreed quantitative limits.

The export licences issued by the Macao authorities shall be applicable to the products subject to restraint under the Agreement.

The export licence must specify:

1. destination,
2. serial number,
3. importer's name and address,
4. exporter's name and address,
5. net quantity (in tonnes or number of items as indicated in the Agreement) and value,
6. category and classification of product,
7. certification by the Macao authorities showing that the quantity has been debited against the agreed ceiling for exports to the Community or is for immediate re-export or for inward processing and subsequent re-export outside the Community.

The competent authorities in the Community will not raise difficulties in the event of a discrepancy between the quantities indicated in the export licence and the shipment or import quantities provided it is within reasonable limits, while the Macao authorities, for their part, will endeavour to keep any possible discrepancies to a minimum.

In the event of total or partial withdrawal of an export licence, the Macao authorities will notify the competent authorities in the Community of such total or partial withdrawal. The competent authorities in the Community will take the administrative measures available to them.

The Macao authorities will forward to the competent authorities in the Community, via the Embassies of the Member States of the Community and directly to the Commission, quarterly returns showing the quantities covered by the export licences issued against the ceilings for exports to the Community, as well as the allocation of these export licences among the Member States of the Community for each category or ceiling in respect of textile exports to the Community subject to quantitative limits under this Agreement.

⁽¹⁾ Repartição Provincial de Serviços de Economia.

COUNCIL REGULATION (EEC) No 301/77
of 8 February 1977
concluding the Agreement between the European Economic Community and the
Republic of Korea on trade in textiles

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Agreement on trade in textiles negotiated between the European Economic Community and the Republic of Korea should be concluded;

Whereas the import arrangements for certain textile products originating in the Republic of Korea laid down by Regulation (EEC) No 2474/76 ⁽¹⁾ permit the application of the provisions of this Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Economic Community and the Republic of Korea on trade in

textiles is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council shall notify the other Contracting Party that as regards the Community, the procedures necessary for the entry into force of the Agreement have been completed ⁽²⁾.

Article 3

This Regulation shall enter into force on the third 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, 8 February 1977.

For the Council

The President

Anthony CROSLAND

⁽¹⁾ OJ No L 282, 13. 10. 1976, p. 1.

⁽²⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities*.

AGREEMENT**between the European Economic Community and the Republic of Korea on trade
in textiles**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE GOVERNMENT OF THE REPUBLIC OF KOREA,

of the other part,

DESIRING to ensure the orderly and equitable development of trade in textiles between the European Economic Community (hereinafter referred to as 'the Community') and the Republic of Korea,

HAVING regard to the provisions of the Arrangement regarding international trade in textiles (hereinafter referred to as the 'Geneve Arrangement') and in particular Article 4 thereof,

HAVE DECIDED, in a spirit of mutual cooperation and in conformity with the Geneva Arrangement, to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF THE REPUBLIC OF KOREA:

WHO HAVE AGREED AS FOLLOWS:

Article 1

1. The parties recognize and confirm that the conduct of their mutual trade in textiles shall be governed by the provisions of this Agreement and the Geneva Arrangement.

2. This Agreement shall apply to trade in those categories of textile products, originating in and dispatched from the Republic of Korea, which are listed in Annexes I and II hereto.

3. The Republic of Korea agrees to establish and maintain quantitative limits on exports to the Community in accordance with the schedule set out in Annex I hereto.

4. Quantities of the quota shares set out in Annex I not taken up by a Member State of the Community may be re-allocated to another Member State in

accordance with the procedures in force in the Community. The Community undertakes to respond within four weeks of its receipt to any request made by the Republic of Korea for such re-allocation. It is understood that any re-allocation so effected would not need to be confined within any limits set in flexibility provisions established elsewhere in this Agreement.

Article 2

The Community undertakes, in respect of the categories of textile products to which this Agreement applies, and subject to the satisfactory operation of this Agreement, not to introduce new quantitative restrictions and to refrain from invoking the provisions of Article 3 of the Geneva Arrangement provided that exports to the Community of such textile products originating in and dispatched from Korea do not exceed the quantitative limits established under the provisions of this Agreement.

Article 3

1. Imports into the Community of those textile products to which this Agreement applies which are for immediate re-export or for inward processing and subsequent re-export outside the Community shall not be subject to quantitative limits established under this Agreement, provided they are entered as such under an administrative system of control in force for this purpose within the Community.

2. In any case where Community authorities ascertain that imports described in paragraph 1 above have been retained for consumption within the Community, the latter will notify the Government of the Republic of Korea on a quarterly basis of the amounts involved. The Republic of Korea shall in such cases and at the request of the Community, charge such amounts against the quantitative limit or limits in question for the current Agreement year or for the next following Agreement year.

3. In any case where the competent authorities within the Community ascertain under an administrative system of control in force that imports of textile products to which this Agreement applies have been charged against quantitative limits established under this Agreement but subsequently re-exported outside the Community, the competent authority concerned will inform the Korean authorities of the quantities involved and authorize imports of the same quantities which shall not be charged to the quantitative limits under the Agreement.

Article 4

1. Both parties agree to enter promptly into consultations with each other at the request of either and in conformity with the provisions of the Geneva Arrangement, on any matter concerning their mutual trade in textiles and in particular on any problems arising from the application of this Agreement. Consultations held under the provisions of this Article shall be approached by both Parties in a spirit of compromise and with a view to the conciliation of differences existing between them.

2. In view of the desire of the Community and Korea to avoid, on the one hand, real risks of market disruption in the Community and, on the other hand, disruption to the textile trade of Korea, and having full regard to the need for equitable treatment of participating countries in the Geneva Arrangement, the following specific consultation procedures shall apply to the products set out in Annex II to this Agreement.

3. In respect of the products set out in Annex II, Korea will issue export authorizations and provide monthly returns to the Commission, showing by product, and by Member State, the quantities covered by export authorizations issued to Korean exporters, in order to provide the Commission with advance information on the development of trade by product and by region of the Community.

4. The Community may request consultations with a view to reaching agreement on an appropriate level of restraint for any product set out in Annex II hereto, whenever, in the view of the Community, conditions in any of its markets are such that a limitation on further trade in any such product may be necessary to eliminate real risks of market disruption. The consultation procedure referred to in this paragraph will only be resorted to sparingly and in cases of substantial changes in Korea's exports to the Community and will be implemented in a manner consistent with the principles and objectives of the Geneva Arrangement.

5. The request for such a consultation shall be accompanied within a reasonable period of time (and in any case within 21 days), by a statement of the market conditions in the Community which, in the opinion of the Community, make necessary the request for consultations. The statement shall include data designed to demonstrate the existence of real risks of market disruption (as defined in Annex A to the Geneva Arrangement).

6. Until such time as a mutually satisfactory conclusion has been reached, Korea undertakes if so requested by the Community, to limit the issue of export licences from the date on which the Community requests consultations, in order to ensure that exports of the products in question to the region or regions of the Community indicated by the Community do not exceed, at an annual rate, the level of 107% of the exports recorded in the 12 months ended two months before the date on which the request for consultations was made.

7. The Community shall admit imports of goods which have been shipped from Korea before the date on which the request for consultations was made. In addition, the Community shall give full and sympathetic consideration to the treatment of goods for which export authorizations have been issued on the basis of *bona fide* contracts and letters of credit. Should, in the opinion of Korea, the application of these provisions give rise to difficulties causing hardship to the commercial interests involved, Korea may request consultations with the Community in accordance with the provisions of paragraph 1 above.

8. If an excessive product concentration of trade takes place in any category for which Community ceilings are provided under this Agreement, or to which this Article otherwise applies, which in the opinion of the Community creates real risk of market disruption in respect of that product, the Community may request consultations with Korea under the same conditions as those set out in paragraphs 4 to 6 above.

9. If, in the opinion of the Community, imports into the Community of products which, apart from their fibre composition, are like products to products covered by this Agreement, and are in direct competition with such like products, create risks of market disruption, the Community may request consultations with Korea under the same conditions as those specified in paragraphs 4 to 6 above.

10. Both parties shall consult as soon as possible within the 30 days following the communication of the statement referred to in paragraph 5 above and will make their best efforts to complete such consultations within 30 days of their commencement.

11. In the event that the parties are unable to reach agreement during the consultations provided for in this Article, either of the parties may, as a party to the Geneva Arrangement, refer the matter to the Textiles Surveillance Body in accordance with Article 11 (4) of the Geneva Arrangement. Either party choosing to adopt such a course of action shall immediately notify the other of its intention.

12. Consultations shall be held at the request of Korea in order to review the need for the maintenance or modification of any quantitative limit established under this Article, whenever market conditions which led to the establishment of such quantitative limits no longer prevail.

Article 5

If, having regard to the provisions of the Geneva Arrangement, either Party considers that it is being placed in an inequitable position in respect of trade in textiles as compared with a third country, that Party may seek consultations with the other with a view to taking appropriate remedial action.

Article 6

1. (a) Within any one Agreement year, unused portions of quantitative limits (ceilings) established under this Agreement may be transferred to another quantitative limit so established, under the conditions set out below.

(b) The ceiling for any specific category, as set out in Annex I hereto, may be increased, on a non-cumulative basis, by the transfer of unused portions of quantitative limits (ceilings) established for any other category or categories up to the levels set out below. The table of equivalences listed in Annex IV shall be applied with regard to such transfers. The maximum percentage (calculated by reference to the relevant recipient ceiling) by which any such ceiling may be exceeded shall be:

- (i) 5 % of the ceiling in respect of categories 4, 5 and 9 where the transfer is effected by a corresponding reduction in any from among the categories 1, 2, 3, 6, 7 and 8;
- (ii) 7 % of the ceiling in respect of categories 4, 5 and 9 where the transfer is effected by a corresponding reduction in any from among the said categories 4, 5 and 9;
- (iii) 7 % of the ceiling in respect of categories 1, 2, 3, 6, 7 and 8, where the transfer is effected by a corresponding reduction in any from among the said categories 1, 2, 3, 6, 7 and 8;
- (iv) 10 % of the ceiling in respect of categories 1, 2, 3, 6, 7 and 8, where the transfer is effected by a corresponding reduction in any from among categories 4, 5 and 9.

2. Portions of any quantitative limit established under this Agreement which are not used during any Agreement year may be carried over and added to the corresponding quantitative limit in the following Agreement year, within a limit of 10% of the latter.

3. Within a limit of 10 % of each of the quantitative limits established under this Agreement, advance deliveries may be authorized from the corresponding quantitative limit established for the following Agreement year. Amounts delivered in advance shall be deducted from the quantitative limits for the products in question for the following Agreement year.

4. The preceding flexibility provisions shall not, in any given Agreement year, result in a quantitative limit for any category being exceeded by more than 15 % of the quantitative limit for that category for that Agreement year.

5. The flexibility provisions contained in this Article may be applied by the Republic of Korea only after written notification to the Community.

Article 7

Subject to agreed certification procedures, exports of the following items from the Republic of Korea to the Community will not be subject to the provisions of this Agreement:

- (a) tackwondo suits being hand-sewn specialist sportswear garments whose characteristics include looseness of fit and the absence of any other than tie fastenings;
- (b) fabrics, not exceeding 24 by 48 inches in size, containing hand-embroidered or hand-painted Korean scenes and used primarily as decorations or art objects; and
- (c) traditional Korean items, as defined in a Protocol hereto.

Article 8

The Republic of Korea shall endeavour to ensure that exports of all textile products for which quantitative limits may be established under this Agreement are spaced out as evenly as possible over each of the Agreement years, due account being taken, in particular, of seasonal factors.

Article 9

The two Parties agree to exchange all useful information concerning their mutual trade in textiles in order to ensure the successful implementation of this Agreement.

Article 10

1. The Parties agree that the quantitative limits established under this Agreement shall be managed under a system of control, the details of which are set out in Annex III to this Agreement.
2. Without prejudice to the provisions of Article 4 (3) of this Agreement, the Republic of Korea therefore agrees to furnish the Community with precise statistical information, on a quarterly basis, of all export licences issued by the authorities of the Republic of Korea for all categories of textile exports to the Community to which this Agreement applies.
3. The Community will likewise forward to the authorities of the Republic of Korea, on a quarterly

basis, precise statistical information of imports of such products into the Community.

Article 11

1. Both Parties shall take all possible measures to ensure that traditional channels and methods of trade between the Community and the Republic of Korea are maintained.
2. Should either of the Contracting Parties inform the other that the application of this Agreement has given rise to difficulties regarding the maintenance of existing commercial relations between importers in the Community and their suppliers in the Republic of Korea, the Parties agree to consult in accordance with the procedures set out in Article 4 (1) above.

Article 12

This Agreement shall apply to the territories where the Treaty establishing the European Economic Community applies, on the conditions established in the said Treaty, and to the Republic of Korea.

Article 13

1. This Agreement shall enter into force on the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for the purpose. It shall remain in force until 31 December 1977.
2. This Agreement shall apply with effect from 1 January 1976.
3. Either Party may at any time propose modifications to this Agreement or denounce it provided that notice is given at least 120 days before the expiry of any 12-month period; in the latter event the Agreement will come to an end at the expiry of the said 12-month period.

4. Annexes and Protocols to this Agreement shall form an integral part thereof.

Article 14

This Agreement shall be drawn up in two copies in the Danish, Dutch, English, French, German, Italian and Korean languages, each of these texts being equally authentic.

ANNEX I

Products for which Korea will exercise restraint towards the whole Community from the entry into force of the Agreement

The Community hereby notifies Korea that the quantitative limits for the textile products listed below will be allocated between the Member States as follows:

Category No	CCT heading No	Description	Control unit	Community region	Quantitative limit	
					1976	1977
1	55.09	Woven fabrics of cotton	1 000 kg	D	1 968	2 205
				F	1 049	1 208
				I	1 791	1 821
	56.07	Woven fabrics of man-made fibres:		BNL	1 933	1 943
				UK	1 714 ⁽¹⁾	1 898 ⁽¹⁾
				IRL	45	52
				DK	497	500
	ex A	— Of synthetic textile fibres		EEC	8 997	9 627
		Within the limits specified for category No 1, sub-limits as set out below are established for products falling within sub-category No 1 A				
1 A	ex 55.09	Woven fabrics of cotton:	1 000 kg	D	250	276
		— Other than unbleached or bleached		F	160	176
				I	202	207
				BNL	91	100
	56.07	Woven fabrics of man-made fibres:		UK	253 ⁽¹⁾	265 ⁽¹⁾
				IRL	25	25
				DK	27	30
	ex A	— Of synthetic textile fibres:		EEC	1 008	1 079
		— Other than unbleached or bleached				
2	56.05	Yarn of man-made fibres (discontinuous):	1 000 kg	D	2 533	2 586
				F	456	542
				I	288	344
				BNL	313	362
	ex A	— Of synthetic textile fibres		UK	1 295	1 378
				IRL	55	58
				DK	604	607
				EEC	5 544	5 877
	<i>Nimexe:</i> 56.05-12 to 37					
3	ex 60.04	Undergarments, knitted or crocheted:	1 000 units	D	2 838	3 037
		— Shirts, T-shirts, undervests, singlets and the like		F	2 466	2 535
				I	437	551
				BNL	1 511	1 554
	<i>Nimexe:</i> 60.04 ex 11, 13, ex 24, ex 29, ex 35, 41, ex 45, ex 59, ex 70, ex 80			UK	1 708	1 995
				IRL	195	196
				DK	145	176
				EEC	9 300	10 044
4	ex 60.05	Outer garments and other articles, knitted or crocheted:	1 000 units	D	5 240	5 643
		— Jerseys, pullovers, slip-overs, twinsets, cardigans, bed-jackets and jumpers		F	740	858
				I	450	591
				BNL	7 434	7 471
	<i>Nimexe:</i> 60.05-01, 22 to 29 31 to 39			UK	11 860	11 919
				IRL	295	301
				DK	281	307
				EEC	26 300	27 090

⁽¹⁾ Within this limit a sub limit is established, in respect of the UK, for the subcategory 'fabrics of synthetic textile fibres', at a level of 20% of the limit for the whole of category 1 or 1A, respectively.

Category No	CCT heading No	Description	Control unit	Community region	Quantitative limit	
					1976	1977
5	ex 61.01	Men's and boys' outer garments:	1 000 pieces	D	1 974	1 994
				F	86	123
				I	535	571
				BNL	635	645
				UK	850	908
				IRL	49	50
				DK	22	26
				EEC	4 151	4 317
	<i>Nimexe:</i> 61.01 ex 11, ex 41, ex 45, 49	— Raincoats of the overcoat type				
	ex 61.02	Women's girls' and infants' outer garments:				
	<i>Nimexe:</i> 61.02 ex 11, ex 41, ex 43, 45, 47	— Raincoats of the overcoat type				
6	ex 61.01	Men's and boys' outer garments:	1 000 pieces	D	1 373	1 426
				F	304	366
				I	206	249
				BNL	906	911
				UK	987	1 056
				IRL	34	38
				DK	190	194
				EEC	4 000	4 240
	<i>Nimexe:</i> 61.01-61 to 69	— Trousers, jeans, breeches and the like				
	ex 61.02	Women's, girls' and infants' outer garments:				
	<i>Nimexe:</i> 61.02 ex 91 to 99	— Trousers, jeans, breeches and the like				
7	ex 61.01	Men's and boys' outer garments:	1 000 pieces ⁽¹⁾	D	2 997	3 014
				F	168	252
				I	100	150
				BNL	821	873
				UK	875	1 137
				IRL	20	28
				DK	299	301
				EEC	5 280	5 755
	<i>Nimexe:</i> 61.01-51 to 59, 71 to 79	— Suits — Jackets, blazers and the like				
8	ex 61.02	Women's, girls' and infants' outer garments:	1 000 pieces	D	2 041	2 194
				F	215	300
				I	212	293
				BNL	1 979	1 989
				UK	2 140	2 217
				IRL	30	36
				DK	383	391
				EEC	7 000	7 420
	<i>Nimexe:</i> 61.02-83 to 89	— Shirts and blouses				
9	ex 61.03	Men's and boys' undergarments, including collars, shirt fronts and cuffs:	1 000 pieces	D	20 230	20 331
				F	564	734
				I	570	737
				BNL	6 119	6 150
				UK	3 073	3 340
				IRL	121	131
				DK	323	352
				EEC	31 000	31 775
	<i>Nimexe:</i> 61.03-11 to 19	— Shirts				

(1) One suit shall be reckoned as two pieces.

ANNEX II

Products subject to special consultation procedures under the provisions of Article 4

CCT heading No	Description
51.04 A	Woven fabrics of man-made fibres (continuous) including woven fabrics of monofil or strip of heading No 51.01 or 51.02: Woven fabrics of synthetic textile fibres
ex 60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized: — Gloves impregnated or coated with artificial plastic materials — Other: — Of synthetic textile fibres — Of cotton
ex 60.03	Stockings, other than women's stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized
ex 60.04	Undergarments, knitted or crocheted, not elastic or rubberized: — Other than falling within category 3 of Annex I
ex 60.05	Outer garments, knitted or crocheted, not elastic or rubberized: — Other than falling within category 4 of Annex I
ex 61.01	Men's and boys' outer garments: — Other than falling within category 5, 6 or 7 of Annex I
ex 61.02	Women's, girls' and infants' outer garments: — Other than falling within category 5, 6 or 8 of Annex I
ex 61.03	Men's and boys' undergarments, including collars, shirt fronts and cuffs: — Other than shirts
61.04	Women's, girls' and infants' undergarments
61.09	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic
62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles

*ANNEX III***Agreed details of control system under the provisions of Article 10**

As agreed between the Parties in Article 10 of this Agreement, the administration of exports from Korea and imports into the EEC of those textile products to which this Agreement applies will be based on a system of control applied by the Government of the Republic of Korea and the competent authorities of the Community. The details agreed between the Parties are set out below.

The competent authorities within the Community will, automatically and without delay, accept imports of the textile products referred to above on submission of the importer's application together with a certified copy of the export licence on the condition that each shipment of the products be accompanied by a certificate of export licences issued by the Government of the Republic of Korea.

These export licences will be issued up to the total amount of the agreed ceiling.

The export licences issued by the Government of the Republic of Korea in respect of products subject to restraint under this Agreement shall specify and contain:

1. destination,
2. serial number,
3. importer's name and address,
4. exporter's name and address,
5. quantity in the units as designated in the Agreement, and, where the quantity is expressed other than in weight, the equivalent weight calculated in accordance with the table of equivalences set out in Annex IV,
6. category and description of product,
7. certification by the Government of the Republic of Korea that the quantity has been debited against the agreed ceiling for exports to the Community or, where appropriate, is for immediate re-export or for inward processing and subsequent re-export outside the Community.

The competent authorities within the Community will not raise difficulties in the event of a discrepancy between the weight indicated in the export licence and the shipment or import weight provided it is within reasonable limits.

The competent authorities within the Community will deny entry to any shipment if any discrepancy exists between the actual category of the shipment and the category as indicated on the export licence.

In the event of total or partial withdrawal of an export licence, the authorities of the Republic of Korea will notify the authorities of the Member States of the Community and the Commission of such total or partial withdrawal. The competent authorities of the Community will take the appropriate measures in accordance with existing administrative provisions.

The Government of the Republic of Korea will supply the competent authorities within the Community, via the representatives of the Member States of the Community and directly to the Commission, with the periodic returns provided for in Article 10 of this Agreement, showing the details referred to in (1), (3), (4), (5) and (6) above, covered by the export licences issued against the quantitative limits for exports to the Community, as well as the allocation of these export licences amongst the Member States of the Community for all categories of textile exports to the Community or any of its Member States to which this Agreement applies.

ANNEX IV

Table of equivalences agreed for the purpose of the application of Article 6
of this Agreement

CCT heading No	Description	Equivalences
ex 60.04	Shirts, T-shirts and undervests, knitted or crocheted The ceiling is established in units whereby one shirt, one T-shirt and one undervest shall be reckoned as one unit, whereas one singlet shall be reckoned as a half of a unit	6.4 items/kg
ex 60.05	Jerseys, pullovers, slip-overs and the like	5.18 items/kg
ex 61.01 ex 61.02	Raincoats of the overcoat type	1.29 items/kg
ex 61.01 ex 61.02	Trousers, breeches and the like	2.47 items/kg
ex 61.01	Suits, jackets, blazers and the like	1.40 Nos/kg
ex 61.02	Men's, boys', women's and girls' shirts	5.55 items/kg
ex 61.03	Women's, girls' and infants' shirts and blouses	4.60 items/kg
ex 60.02	Gloves	11.5 pairs/kg

PROTOCOL

to the Agreement between the European Economic Community and the Republic of Korea on trade in textiles

1. Pursuant to Article 4 of this Agreement, consultations have been held between the Parties regarding exports from the Republic of Korea to the Community of the textile products listed below.
2. As agreed in the consultations mentioned above, the Republic of Korea shall limit exports of the products listed below to the regions of the Community market and to the quantitative limits indicated.

CCT heading No	Description	Control unit	Community region	Quantitative limit	
				1976	1977
51.04 A	Woven fabrics of man-made fibres (continuous) including woven fabrics of monofil or strip of heading No 51.01 or 51.02: — Of synthetic textile fibres	1 000 m ² tonnes	UK BNL	14 000 350	14 980 374
ex 60.02 (1975 Nimexe: 60.02-40, 60)	Gloves, mittens, mitts, knitted or crocheted, not elastic or rubberized: — Gloves impregnated or coated with artificial plastic materials — Other: Of synthetic textile fibres	1 000 pairs	F	2 750	2 819
ex 60.03 (1975 Nimexe: 60.03-25, 27)	Stockings, other than women's stockings, socks, sockettes and the like, knitted or crocheted, not elastic or rubberized	1 000 pairs	BNL D ⁽¹⁾ F DK	12 000 43 164 1 500 175	12 300 44 243 1 605 187
ex 60.05 (1975 Nimexe: 60.05-02 to 19 60.05-41 to 98)	Outer garments, knitted or crocheted, other than jerseys, pullovers, slipovers, twinsets, cardigans, bed-jackets and jumpers	tonnes	UK	300	321
ex 61.04 (1975 Nimexe: 61.04-10)	Women's, girls' and infants' undergarments: — Of synthetic textile fibres	1 000 pieces	IRL	60	64

⁽¹⁾ An additional quantity of 3 518 000 pairs is available for use in 1975/76.

PROTOCOL

to the Agreement between the European Economic Community and the Republic of Korea on trade in textiles

1. Pursuant to Article 7 of this Agreement and having regard to Article 12 (3) of the Geneva Arrangement, the Parties agree that the admission into the Community without quantitative limits of the products mentioned under (a) and (b) in Article 7 of the Agreement and those defined in paragraph 3 of this Protocol shall be subject to the presentation by the importer of a certificate issued by the Ministry of Commerce and Industry of the Republic of Korea, Seoul, and which shall specify and contain:

- (a) name and address of manufacturer,
- (b) name and address of exporter,
- (c) name and address of importer within the Community,
- (d) description of goods (name),
- (e) quantity of goods (number of items),
- (f) name of ship or flight number,
- (g) port or airport of destination,
- (h) certification that the above shipment consists of hand-sewn traditional Korean garments (or art objects) of the description mentioned under (d) above.

2. The Parties agree that the competent authorities within the Community may withhold authorization of imports of products accompanied by a certificate as specified in paragraph 1 if, in their opinion, the products concerned do not correspond to a definition given in (a) or (b) of Article 7 of this Agreement or in paragraph 3 of this Protocol. If a further examination confirms that the goods do not correspond to a definition mentioned above, their importation will only be authorized on presentation by the importer of an export licence of the type provided for in Annex III, in which case the goods will be debited to the appropriate quantitative limits.

3. The Parties agree that the articles described hereinafter shall fall under the provisions of Article 7 (c) of the Agreement, provided that they are sewn by hand and made by a traditional handicraft industry:

Women's Jogori — A traditional Korean short blouse for women extending to just below the bust with a tight bodice and long loose sleeves whose width at the elbow is greater than at the armhole and at the wrist. It has a V-shaped neck with a white fixed collar about 1.5 to 2.5 cm wide and a full-length front opening from bottom of the V-shaped neck opening. The Jogori has no buttons, but sometimes has fixed ties for closure of front opening. The garment is lined.

Chima — A traditional Korean long skirt for everyday wear. It is loose fitting and extends from above the bust to the ground or ankle. It has a full-length side opening without buttons and extends above the bust without shoulder straps. It has a pleated breast band and two fixed fastening ties about 2 to 3 cm wide, made of the same fabric as the breast band and attached at either side of the vertical opening. The garment is lined. The Chima has no pockets.

Durumagi — A traditional Korean woman's dress for everyday wear. It is an ankle length, ample, formless garment with long and very wide sleeves which are wider at the elbow than at the armhole and at the wrist. It has a V-shaped neck with a fixed collar about 1.5 to 2.5 cm wide, made of a fabric different from the fabric of the dress itself and always white. The Durumagi has a full-length front opening, without buttons. For closure of the dress it has two ties about 5 to 7 cm wide and fixed to the outside just below the neck, on either side of the front opening. These ties are made of the same fabric as the dress and they are so long that they reach the bottom of the dress, one being slightly longer than the other. The Durumagi may have two inset side pockets at waist level. The dress is fully lined with a fabric different from the outside fabric.

Men's Jogori — This is a short traditional Korean man's jacket for everyday wear. It is loose fitting, has a central front opening and long, loose sleeves which are wider at the elbow than at the armhole and at the wrist. It has a V-shaped neck with a white collar about 1.5 to 2.5 cm wide and of a fabric different from that of the garment. It has two attached ties for fastening it. These are about 5 to 7 cm wide, made of the same material as the jacket and fixed on either side of the front opening just below the V-shaped collar. The Jogori has no pockets and is always fully lined with a fabric different from the outside fabric.

Bajee — Traditional Korean men's long trousers. They are very loose, the width of the legs being smallest at the ankle and gradually increasing upwards. The bajee have a waistband approximately 20 cm wide. They have no front or side openings and no pockets. The trousers are fully lined with a fabric different from the outside fabric. The space between the outer fabric and the lining may be filled with cotton. The bajee have no buttons.

Magoja — This is a traditional Korean man's jacket for elegant use. It is approximately waist length, loose fitting, has a V-shaped neck opening without a collar, a central front opening the entire length

of the jacket fastened by one or two buttons both placed immediately below the bottom of the V-shaped opening. It has no pockets, and no buttons, whether on the sleeves or elsewhere, other than those already mentioned. It is lined with a fabric different from the main fabric.

Joki — This is a traditional Korean man's waistcoat. It is sleeveless with a collarless V-shaped neck opening. The front opens from the neck to the bottom of the waistcoat. It has four to six buttons, and an outside front pocket on each side; these pockets have neither flaps nor buttons. It is lined with a fabric different from the outside fabric.

COUNCIL REGULATION (EEC) No 302/77

of 8 February 1977

concluding the Agreement between the European Economic Community and the
Republic of Colombia on trade in textile products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community, and in particular
Article 113 thereof,Having regard to the recommendation from the
Commission,Whereas the Agreement on trade in textile products
negotiated between the European Economic Com-
munity and the Republic of Colombia should be
concluded,

HAS ADOPTED THIS REGULATION:

*Article 1*The Agreement between the European Economic
Community and the Republic of Colombia on tradein textile products is hereby concluded on behalf of
the Community.The text of the Agreement is annexed to this
Regulation.*Article 2*The President of the Council shall notify the other
Contracting Party of the completion by the Com-
munity of the procedures required for the entry into
force of the Agreement ⁽¹⁾.*Article 3*This Regulation shall enter into force on the third
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, 8 February 1977.

*For the Council**The President*

Anthony CROSLAND

⁽¹⁾ The date of entry into force of the Agreement will be
published in the *Official Journal of the European*
Communities by the General Secretariat of the Council.

AGREEMENT

between the European Economic Community and the Republic of Colombia on trade in textile products

THE COUNCIL OF THE EUROPEAN COMMUNITIES

of the one part,

THE GOVERNMENT OF THE REPUBLIC OF COLOMBIA

of the other part,

DESIRING to ensure the orderly and equitable development of trade in textiles between the European Economic Community (hereinafter referred to as 'Community') and Colombia,

HAVING regard to the provisions of the Arrangement regarding international trade in textiles (hereinafter referred to as 'the Geneva Arrangement') and in particular Article 4 thereof,

HAVE DECIDED, in a spirit of mutual cooperation and in conformity with the said Geneva Arrangement, to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Camillo PAOLI,

Head of Division in the Directorate-General for External Relations of the Commission of the European Communities;

THE GOVERNMENT OF THE REPUBLIC OF COLOMBIA:

German BULA-HOYOS,

Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of the Republic of Colombia to the European Communities;

WHO HAVE AGREED AS FOLLOWS:

Article 1

1. The parties recognize and confirm that, subject to the provisions of this Agreement and without prejudice to their rights and obligations under the General Agreement on tariffs and trade, the conduct of their mutual trade in textile products shall be governed by the provisions of the Geneva Arrangement.

2. This Agreement shall apply to trade in those categories of textile products originating in and dispatched from Colombia set out in Annex I.

3. Quantitative limits for the said products have been agreed between the Parties. Details of the quantities and regions of the Community to which such limits presently apply are likewise set out in

Annex I. Both Parties recognize that the quantitative limits agreed in the present negotiations are without prejudice to the possible future application of Article 5 of this Agreement.

Article 2

1. The Community undertakes, in respect of the categories of textile products to which this Agreement applies, and subject to the satisfactory operation of this Agreement, not to introduce new quantitative restrictions and to refrain from invoking the provisions of Article 3 of the Geneva Arrangement provided that exports to the Community of such textile products originating in and dispatched from Colombia do not exceed the quantitative limits established under the provisions of this Agreement.

2. The Government of Colombia undertakes to take the appropriate measures to ensure that the quantitative limits established under this Agreement are not exceeded.

3. The Community shall not object to the aforementioned quantitative limits being exceeded in the event of additional demand developing on the market of the Community, on the understanding that any additional quantities shall be fixed by common agreement between both Parties.

4. Both Parties undertake to cooperate in implementing the measures necessary for the purpose of this Article.

Article 3

1. Imports into the Community of those textile products to which this Agreement applies which are for immediate re-export or for inward processing and subsequent re-export outside the Community shall not be subject to quantitative limits established under this Agreement, provided that they are entered as such under an administrative system of control in force for this purpose within the Community.

2. In any case where Community authorities ascertain that imports as described in paragraph 1 have been retained for consumption within the Community, the latter shall notify the Government of Colombia on a quarterly basis of the amounts involved. Colombia shall in such cases and at the request of the Community, charge such amounts against the quantitative limit or limits in question for the current Agreement year or for the following Agreement year.

3. In any case where the competent authorities within the Community ascertain under an administrative system of control in force that imports of textile products to which this Agreement applies have been charged against quantitative limits established under this Agreement but subsequently re-exported outside the Community, the competent authority concerned shall inform the Colombian authorities of the quantities involved and authorize imports of the same quantities which shall not be charged to the quantitative limits under this Agreement.

Article 4

1. The following Colombian textile products shall, subject to the conditions indicated hereafter, be admitted into the Community without quantitative limit:

- (i) cotton handloom fabrics of the cottage industry, containing not more than 5% by weight of man-made fibres, being fabrics which are both traditionally of the kind woven on a loom and actually woven on a loom for which the motive power is provided entirely by the operators (that is, where the three primary movements of weaving, namely shedding, picking and beating, are induced by hand or foot and no other source of power is used);
- (ii) goods made up by the cottage industry from such cotton handloom fabrics;
- (iii) traditional Colombian folklore handicraft textile products cut, sewn or otherwise fabricated by hand in cottages which are units of the cottage industry.

2. Admission into the Community of these products without quantitative limit shall be subject to the satisfactory operation of agreed arrangements for certification.

Article 5

1. Both Parties agree to enter promptly into consultations with each other, at the request of either and in conformity with the provisions of the Geneva Arrangement, on any matter concerning their trade in textile products and in particular on any problems arising from the application of this Agreement. Consultations held under the provisions of this Article shall be approached by both Parties in a spirit of compromise and with a view to the conciliation of differences existing between them.

2. In view of the desire of the Community and Colombia to avoid real risks of market disruption on the one hand, and disruption of the Colombian textile trade on the other, and having full regard to the need for equitable treatment of participating countries in the Geneva Arrangement, the following specific consultation procedure shall apply to the products set out in Annex I to this Agreement.

3. The Community may request consultations with a view to reaching agreement on an appropriate level of restraint, where such does not already exist, for any product set out in Annex I whenever, in the view of the Community, conditions in any of its markets are such that a limitation on further trade in any such product may be necessary to eliminate real risks of market disruption (as defined in Annex A to the Geneva Arrangement). The consultation procedure referred to in this paragraph will be resorted to only sparingly and will be implemented

in a manner consistent with the principles and objectives of the Geneva Arrangement.

4. The request for such a consultation shall be accompanied, within a reasonable period of time, by a statement of the market conditions in the Community which, in the opinion of the Community, make necessary the request for consultations.

5. Until such time as a mutually satisfactory solution has been reached, Colombia undertakes, if so requested by the Community, to limit the issue of export licences for the products in question to the region or regions of the Community market indicated by the Community, in order not to exceed, at an annual rate, the level of 107% of the imports recorded in the 12 months ending three months before the date on which the request for consultations was made.

6. In order to ensure the satisfactory operation of this Agreement and in particular Article 5 thereof, Colombia agrees to inform the Community immediately upon receipt of any applications for export licences covering exceptionally large amounts or which are concentrated in particular product categories or subcategories. In judging what constitute exceptionally large amounts Colombia shall have regard to recent levels of trade and shall ensure that the quantities covered by the issue of the export licences in question will not be such as to cause a sharp and substantial increase of imports of the products in question into the Community or any region thereof.

7. Both parties shall consult as soon as possible within 30 days following communication of the statement referred to in paragraph 4 and shall make their best efforts to complete such consultations within 30 days of their commencement.

8. If the Parties are unable to reach a satisfactory solution during the consultation provided for in this Article within a reasonable period of time, either Party may refer the matter to the Textiles Surveillance Body in accordance with Article 11 (4) of the Geneva Arrangement.

Either Party choosing to adopt such a course of action shall notify the other in advance of its intention.

9. At the request of Colombia, consultations will take place in order to review the need for the maintenance or modification of any quantitative limit established under this Article whenever the market conditions which led to the establishment of such quantitative limits no longer prevail.

Article 6

If, having regard to the provisions of the Geneva Arrangement, Colombia considers that as a result of the quantitative limits established under this Agreement, it is being placed in an inequitable position as compared with a third country, Colombia may request consultations with the Community with a view to taking appropriate action consistent with both Parties' international rights and obligations.

Article 7

1. Portions of any quantitative limit established under this Agreement which are not used during any Agreement year may be carried over and added to the corresponding quantitative limit in the following Agreement year, within a limit of 10% of the latter.

2. Within a limit of 10% of each of the quantitative limits established under this Agreement, advance deliveries shall be authorized from the corresponding quantitative limit established for the following Agreement year.

3. Within any one Agreement year, unused portions of quantitative limits established under this Agreement in respect of any region of the Community market may be transferred to another quantitative limit established for that same region of the Community market within a ceiling of 7% of the recipient quantitative limit.

4. The preceding flexibility provisions shall not, in any given Agreement year, result in a quantitative limit for any category being exceeded by more than 20% of the quantitative limit for that category for that Agreement year.

5. The flexibility provisions contained in this Article may be applied by Colombia only following written notification to the Community by the Colombian authorities.

Article 8

Colombia shall endeavour to ensure that exports of all textile products for which quantitative limits may be established under this Agreement are spaced out as evenly as possible over each of the Agreement years, due account being taken, in particular, of seasonal factors.

Article 9

Both Parties agree to exchange all useful information concerning their mutual trade in textile products in

order to ensure the successful implementation of this Agreement.

Article 10

1. The Parties agree that the quantitative limits established under this Agreement shall be managed under a system of double checking, the details of which are set out in Annex II to this Agreement.

2. Colombia therefore agrees to furnish the Community, on a quarterly basis, with precise statistical information on all export licences issued by the authorities of Colombia for all categories of textile exports to the Community to which this Agreement applies.

3. The Community shall likewise forward to the authorities of Colombia, on a quarterly basis, precise statistical information on imports of such products into the Community.

Article 11

1. Both Parties shall take all possible measures to ensure that traditional channels and methods of trade between the Community and Colombia are maintained.

2. Should the Community inform Colombia that the application of this Agreement has given rise to difficulties regarding the maintenance of existing commercial relations between importers in the Community and their suppliers in Colombia, the Parties agree to consult in accordance with the procedure set out in Article 5 (1).

Article 12

This Agreement shall apply to the territories where the Treaty establishing the European Economic Community applies, on the conditions established in the said Treaty, and to the territories of the Republic of Colombia.

Article 13

1. This Agreement shall enter into force on the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for the purpose. It shall remain in force until 31 December 1977.

2. This Agreement shall have effect from 1 January 1976.

3. Either Party may at any time propose amendments to this Agreement or denounce it provided that notice is given at least 120 days before the expiry of any 12-month period; in the latter event, the Agreement will come to an end at the expiry of the said 12-month period.

4. The Annexes to this Agreement shall form an integral part thereof.

Article 14

This Agreement shall be drawn up in two copies in the Danish, Dutch, English, French, German, Italian and Spanish languages, each of these texts being equally authentic.

ANNEX I

Quantitative limits established under Article 1

1. Colombia shall limit exports of the products listed below to the regions of the Community market and to the quantitative limits indicated.

CCT heading No	Description	Community region	Annual quantity (in tonnes, unless otherwise indicated)	
			1976	1977
55.05	Cotton yarn not put up for retail sale	BNL I	1 000 2 600	1 070 2 782
ex 55.09	Woven fabrics of cotton:			
	— Unbleached or bleached	I	1 980	2 119
ex 55.09	Woven fabrics of cotton:			
	— Other than unbleached or bleached	BNL I	500 1 050	535 1 124
55.09	Other woven fabrics of cotton	UK ⁽¹⁾	2 050 000 m ²	2 193 500 m ²
51.04	Woven fabrics of man-made fibres (continuous) including woven fabrics of monofil or strip of heading No 51.01 or 51.02:	UK ⁽¹⁾	300	321
	A. Woven fabrics of synthetic textile fibres			
56.07	Woven fabrics of man-made fibres (discontinuous or waste):			
	A. Of synthetic textile fibres			

⁽¹⁾ For the purpose of the application of Article 7 of this Agreement in respect of the quantitative limits provided for in this Annex for the United Kingdom, an equivalence of 2 500 square metres per tonne has been agreed between the Parties.

2. Should the quantitative limits referred to above remain in force for a further period, or periods, of 12 months, the level for that period shall not be lower than the level specified for the preceding 12-month period, increased by not less than 7%.

ANNEX II

System of double checking

As agreed between the Parties in Article 10 of the Agreement, the administration of exports of textile products from Colombia and imports into the Community will be based on a system of double checking. The details of this system have been agreed between the Parties and are set out below.

The competent authorities within the Community will, automatically and without delay, accept imports of textile products on submission of the importer's application together with a certified copy of the export licence. The competent authorities within the Community shall be entitled to require the presentation of an export licence in respect of goods originating in Colombia of the categories in respect of which the provisions of Article 5 have been invoked.

These export licences will be issued by the Colombian authorities ⁽¹⁾ up to the total amount of the agreed ceilings.

The export licences issued by the Colombian authorities shall be applicable to the products subject to restraint under the Agreement.

The export licence must specify:

1. destination (relevant Member State),
2. serial number,
3. importer's name and address,
4. exporter's name and address,
5. net weight (in kilograms or tonnes, or other units designated in the Agreement),
6. category and description of product,
7. certification by the Colombian authorities that the quantity has been debited against the agreed ceiling for exports to the Community (relevant Member State) or, where appropriate, is for immediate re-export or for inward processing and subsequent re-export outside the Community.

The competent authorities within the Community will not raise difficulties in the event of a discrepancy between the weight indicated in the export licence and the shipment or import weight provided that it is within reasonable limits, while the Colombian authorities, for their part, will endeavour to keep any discrepancies to a minimum.

In the event of total or partial withdrawal of an export licence, the Colombian authorities will notify the competent authorities within the Community thereof. The authorities of the Member States of the Community will take the appropriate measures in accordance with their existing administrative provisions.

The Colombian authorities will forward to the competent authorities within the Community, via the representatives of the Member States of the Community and to the Commission, quarterly returns showing the total quantity covered by the export licences issued against the quantitative limits for exports to the Member States of the Community, for all categories of exports of textile products to the Community to which this Agreement applies.

The Community will forward to the Colombian authorities, on a quarterly basis, precise statistical information on imports of such products into the Community.

⁽¹⁾ INCOMEX (Instituto Colombiano de Comercio Exterior).

ANNEX III

Handloom and textile handicraft articles

1. In accordance with Article 12 (3) of the Geneva Arrangement, the Community and Colombia have agreed in Article 4 of the Agreement that, subject to certain conditions, Colombian exports of certain handloom and textile handicraft products would be admitted into the Community without quantitative limit. The conditions set out in Article 4 (2) of the Agreement specify that admission of such products into the Community without quantitative limit shall be subject to the satisfactory operation of agreed arrangements for certification.
2. The Community and Colombia hereby agree that in carrying out the provisions of Article 4 of the Agreement the following form of certificate shall be used.

'Certificate in regard to cotton handloom fabrics and products thereof

name and address of manufacturer,

name and address of exporter,

name and address of importer within the Community,

description of goods,

quantity (tonnes),

name of ship or flight number,

port or airport of destination.

This is to certify that the above shipment consists of:

- (i) cotton handloom fabrics of the cottage industry, containing not more than 5% by weight of man-made fibres, being fabrics which are both traditionally of the kind woven on handlooms and actually woven on a loom for which the motive power is provided entirely by the operators (that is, where the three movements of weaving, namely shedding, picking and beating, are induced by hand or foot and no other source of power is used);
- (ii) goods made up by the cottage industry from such cotton handloom fabrics;
- (iii) traditional Colombian folklore handicraft textile products cut, sewn, or otherwise fabricated by hand in cottages which are units of the cottage industry.

Signed'

3. The body which shall be authorized to issue the above certificates is INCOMEX (Instituto Colombiano de Comercio Exterior).

ANNEX IV

Exchange of letters concerning the Agreement between the European Economic Community
and the Republic of Colombia on trade in textile products

Sir,

In concluding the negotiations held between the Government of Colombia and the European Economic Community which have led this day to the signing of an Agreement on trade in textile products, I have the honour to confirm the following record of understanding:

In the view of the Colombian delegation the quantitative limit for Italy for woven cotton fabrics other than unbleached or bleached (ex 55.09) for the year 1976 as shown in Annex I, did not take fully into account the potential of Colombian exports to this Community market.

A review may be held, at the request of Colombia, in order to assess the position and to determine, on a mutually agreed basis, whether and to what extent an upward revision of the quantitative limit in question should be made.

I should be grateful for your confirmation that the above correctly represents our understanding in the matter.

Please accept, Sir, the assurances of my highest consideration.

*For the Government
of the Republic of Colombia*

Sir,

I have the honour to refer to your letter of today's date in the following terms:

'In concluding the negotiations held between the Government of Colombia and the European Economic Community which have led this day to the signing of an Agreement on trade in textile products, I have the honour to confirm the following record of understanding:

In the view of the Colombian delegation the quantitative limit for Italy for woven cotton fabrics other than unbleached or bleached (ex 55.09) for the year 1976 as shown in Annex I, did not take fully into account the potential of Colombian exports to this Community market.

A review may be held, at the request of Colombia, in order to assess the position and to determine, on a mutually agreed basis, whether and to what extent an upward revision of the quantitative limit in question should be made.

I should be grateful for your confirmation that the above correctly represents our understanding in the matter.'

I confirm that this correctly sets out our understanding in the matter.

Please accept, Sir, the assurance of my highest consideration.

*For the Council
of the European Communities*

ANNEX V

Letter from the Colombian Delegation concerning Italian imports

Brussels, 29 April 1976

Sir,

With reference to the Agreement between Colombia and the European Economic Community on trade in textile products initialled on 29 April 1976, I have the honour to confirm that, in view of the level of Italian imports of unbleached and bleached cotton cloth from Colombia effected in the period from 1 January 1976 to 31 December 1976 under the quantitative limit laid down in the Agreement, the Colombian authorities will take the measures necessary to avoid Colombian exports of the above products exceeding the quantitative limit laid down for the period concerned.

The Colombian delegation understands that the quantitative limit of 1 980 tonnes, as laid down by the Agreement for 1976, may be reduced by the quantities imported up to 1 May 1977, i.e. 700 tonnes.

Please accept, Sir, the assurance of my highest consideration.

Alberto GALEANO
*Head of the
Colombian delegation*

ANNEX VI

Letter from the Delegation of the European Economic Community concerning imports by the Federal Republic of Germany

Brussels, 3 May 1976

Sir,

I have the honour to refer to the negotiations between our respective delegations for an Agreement on trade in textile products which has been initialled on 29 April 1976, in particular, to my statement regarding the situation on the Community market in the Federal Republic of Germany as regard the imports of cotton yarn and grey bleached cotton cloth from Colombia.

I wish to stress again to the Colombian authorities the serious concern with which the Community views the developments in this trade.

Import data for the products in question for a period of three years until the end of 1975 is as follows:

	1973	1974	1975
Cotton yarn	1 512 tonnes	2 596 tonnes	4 206 tonnes
Cotton cloth	—	248 tonnes	1 145 tonnes

The Community does not wish, on this specific question, at present to seek consultations with the Colombian authorities in the framework of the provisions of our bilateral agreement.

The Community is convinced that the Colombian authorities, in the same spirit in which the negotiations have been conducted, will give due consideration to the difficulties mentioned above and that they will take appropriate steps in order to effect, in the immediate future, a stabilization in this trade, thus avoiding the necessity for recourse to the consultation procedure contained in the bilateral agreement between the Community and Colombia.

Yours faithfully,

C. PAOLI

II

(Acts whose publication is not obligatory)

EUROPEAN PARLIAMENT

FINAL ADOPTION OF AMENDING BUDGET No 3 OF THE EUROPEAN
COMMUNITIES FOR THE FINANCIAL YEAR 1976

(77/142/EEC, Euratom, ECSC)

THE PRESIDENT OF THE EUROPEAN PARLIAMENT,

- Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 78 (7) thereof,
- Having regard to the Treaty establishing the European Economic Community, and in particular Article 203 (7) thereof,
- Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 177 (7) thereof,
- Having regard to preliminary draft amending budget No 3 of the European Communities for the financial year 1976, submitted by the Commission,
- Having regard to draft amending budget No 3 of the European Communities for the financial year 1976, established by the Council,
- Having regard to the debates and deliberations of the European Parliament on 14 December 1976,
- Having regard to the resolution adopted by the European Parliament on 14 December 1976,
- The procedure laid down in Article 78 of the Treaty establishing the European Coal and Steel Community, Article 203 of the Treaty establishing the European Economic Community and Article 177 of the Treaty establishing the European Atomic Energy Community having thus been completed,

TAKES NOTE THAT:

Sole Article

Amending budget No 3 of the European Communities for the financial year 1976, as annexed hereto, has been finally adopted.

Done at Luxembourg, 16 December 1976.

The President
Georges SPÉNALE

SECTION III

COMMISSION

ANNEX I

AMENDED STATEMENT OF REVENUE AND EXPENDITURE FOR 1976 RELATING
TO RESEARCH AND INVESTMENT ACTIVITIES

ESTABLISHMENT PLAN
RESEARCH AND INVESTMENT ACTIVITIES

I. Joint Research Centre

Category and grades	Staff authorized for 1976			Changes			Staff authorized under amending budget No 3/1976		
	Scientific and technical (1)	Administrative (2)	Total	Scientific and technical (1)	Administrative (2)	Total	Scientific and technical (1)	Administrative (2)	Total
A 1	2 (5)	—	2 (5)	—	—	—	2 (5)	—	2 (5)
A 2	9	1	10	—	—	—	9	1	10
A 3	27	8	35	—	—	—	27	8	35
A 4	104	8	112	—	—	—	104	8	112
A 5	228	12	240	—	—	—	228	12	240
A 6	80	1	81	—	—	—	80	1	81
A 7	30	2	32	—	—	—	30	2	32
A 8	—	—	—	—	—	—	—	—	—
Total	480 (5)	32	512 (5)	—	—	—	480 (5)	32	512 (5)
B 1	76	20	96	—	—	—	76	20	96
B 2	197	30	227	—	—	—	197	30	227
B 3	182	21	203	—	—	—	182	21	203
		(6 secretaries)						(6 secretaries)	
B 4	177	14	191	—	—	—	177	14	191
B 5	46	11	57	—	—	—	46	11	57
		(8 secretaries)						(8 secretaries)	
Total	678	96	774	—	—	—	678	96	774
C 1	48	29	77	190	82	272	238	111	349
C 2	37	33	70	266	95	361	303	128	431
C 3	4	3	7	77	49	126	81	52	133
C 4	—	—	—	22	16	38	22	16	38
C 5	—	—	—	3	—	3	3	—	3
Total	89	65	154	558	242	800	647	307	954
D 1	—	—	—	35	24	59	35	24	59
D 2	—	—	—	23	11	34	23	11	34
D 3	—	—	—	—	3	3	—	3	3
D 4	—	—	—	—	—	—	—	—	—
Total	—	—	—	58	38	96	58	38	96
Total A/B/C/D	1 247	193	1 440	616	280	896	1 863	473	2 336
Establishment staff	318	126	444	—	—	—	—	—	—
Grand Total (3)	1 565 (5)	319	1 884 (4) (5) (6)	616	280	896	1 863 (5)	473	2 336 (4a) (5) (6)

Notes

- (¹) All staff employed in scientific or technical departments and performing either scientific, technical or general work (including managerial staff) are considered as occupying scientific or technical posts.
- (²) The following are considered in principle as occupying administrative posts: all staff assigned to administrative, financial and supply departments of the establishments; all secretaries, whatever the departments to which they have been assigned; and the small number of staff assigned to scientific and technical departments who are made available to the supply departments of the establishments.
- (³) Of the staff covered by the budget, the following may be included, as shown under either of the heads 'scientific/technical' or 'administrative':
- (a) category B staff in scientific/technical posts A5/A8 and administrative posts A7/A6 provided for in the budget, up to 5 % of these posts,
 - (b) category C staff in B posts provided for in the budget, up to 5 % of these posts.
- (⁴) Including 170 posts occupied by staff placed at the disposal of the Italian Government pursuant to Article 6 (c) of the Euratom Treaty (see appropriation account 1.43).
- (^{4a}) Including 209 posts occupied by staff placed at the disposal of the Italian Government pursuant to Article 6 (c) of the Euratom Treaty, with effect from 30 October 1976 (see appropriation account 1.43).
- (⁵) Including one temporary post.
- (⁶) To this total must be added the four staff placed at the disposal of the JRC under the general budget, as part of the Directorate-General.

II. Headquarters and indirect action

Category and grades	Staff authorized for 1976 (*)		Changes		Staff authorized under amending budget No 3/1976	
	Scientific and technical (1)	Administrative (2)	Total	Scientific and technical (1)	Administrative (2)	Total
A 1	—	—	—	—	—	—
A 2	2	—	2	—	—	2
A 3	23	—	23	—	—	23
A 4	54	2	56	—	2	56
A 5	82	—	82	—	—	82
A 6	25	—	25	—	—	25
A 7	4	—	4	—	—	4
A 8	1	—	1	—	—	1
Total	191	2	193	—	2	193
B 1	14	1	15	—	1	15
B 2	25	3	28	—	3	28
B 3	29	3 (2 secretaries)	32	—	3 (2 secretaries)	32
B 4	13	—	13	—	—	13
B 5	3	—	3	—	—	3
Total	84	7	91	—	7	91
C 1	—	5	5	—	6	6
C 2	—	13	13	1	14	15
C 3	—	9	9	3	11	14
C 4	—	1	1	1	1	2
C 5	—	—	—	—	—	—
Total	—	28	28	5	32	37
D 1	—	—	—	—	—	—
D 2	—	—	—	1	—	1
D 3	—	—	—	—	—	—
D 4	—	—	—	—	—	—
Total	—	—	—	1	—	1
Total A/B/C/D	275	37	312	6	41	322
Establishment staff	1	2	3	—	—	—
Grand Total (3)	276 (5)	39	315 (4)	6	41	322 (4)

(*) Supplementary and amending budget No 2/1976 (OJ No L 322, 22. 11. 1976).

Notes

- (¹) All staff employed in scientific or technical departments and performing either scientific, technical or general work (including managerial staff) are considered as occupying scientific or technical posts.
- (²) The following are considered in principle as occupying administrative posts: all staff assigned to administrative, financial and supply departments of the establishments; all secretaries, whatever the departments to which they have been assigned; and the small number of staff assigned to scientific and technical departments who are made available to the supply departments of the establishments.
- (³) Of the staff covered by the budget, the following may be included under either of the heads scientific/technical or administrative:
- (a) category B staff in scientific/technical posts A5/A8 and administrative posts A7/A6 provided for in the budget, up to 5% of these posts,
 - (b) category C staff in B posts provided for in the budget, up to 5% of these posts,
- (⁴) Including 51 posts in 1976 occupied by staff made available to certain national bodies in accordance with Article 6 (c) of the Euratom Treaty (see details in appropriation accounts 1.48 and 1.49).
- (⁵) Including eight temporary posts in the controlled thermonuclear fusion and plasma physics project.
-

COUNCIL

COUNCIL DIRECTIVE

of 29 December 1976

on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers

(77/143/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee⁽²⁾,

Whereas the implementation of a common transport policy requires, *inter alia*, that certain road traffic within the Community should operate under the most favourable circumstances as regards both safety and competitive conditions applying to carriers in the Member States;

Whereas the growth of road traffic and the resultant increase in danger and nuisances present all Member States with safety problems of a similar nature and seriousness;

Whereas the time taken to carry out periodic roadworthiness tests on certain vehicles and the expense thereby incurred are factors which can affect the competitive conditions between road-transport operators in the Member States; whereas the present systems of testing vary from one Member State to another;

Whereas it is therefore necessary to harmonize as far as is practicable the frequency of tests and the compulsory items to be tested;

Whereas the fixing of the date of application of the measures referred to in this Directive should allow time for the administrative and technical arrangements required for carrying out the tests to be set up or strengthened,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In each Member State, motor vehicles registered in that State and their trailers and semi-trailers shall undergo periodic roadworthiness tests in accordance with this Directive and its Annexes.

Article 2

1. The categories of vehicles to be tested, the frequency of the tests and the items which must be tested are listed in Annexes I and II.
2. Member States shall have the right to exclude from the scope of this Directive vehicles belonging to the armed forces and forces of law and order.
3. Member States may, after consulting the Commission, exclude from the scope of this Directive, or

⁽¹⁾ OJ No C 23, 8. 3. 1974, p. 54.

⁽²⁾ OJ No C 60, 26. 7. 1973, p. 5.

subject to special provisions, certain vehicles operated or used in exceptional conditions and vehicles which are never, or hardly ever, used on public highways, or which are temporarily withdrawn from circulation.

Article 3

Notwithstanding the provisions of Annexes I and II, Member States may:

- bring forward the date for the first compulsory roadworthiness tests and, where appropriate, submit the vehicle for testing prior to registration,
- shorten the interval between two successive compulsory tests,
- make the testing of optional equipment compulsory,
- increase the number of items to be tested,
- extend the periodic test requirement to other categories of vehicles,
- prescribe special additional tests.

Article 4

Roadworthiness tests within the meaning of this Directive shall be carried out by the State or by bodies or establishments designated and directly supervised by the State.

Article 5

1. Member States shall take such measures as they deem necessary to make it possible to prove that a vehicle has passed a roadworthiness test complying with at least the provisions of this Directive.

2. These measures shall be notified to the Member States and to the Commission.

3. Each Member State shall, on the same basis as if it had itself issued the proof, recognize the proof issued in another Member State to the effect that a motor vehicle registered in that other State, together with its trailer or semi-trailer, have passed a roadworthiness test complying with at least the provisions of this Directive.

Article 6

Member States shall, after consulting the Commission adopt the laws, regulations or administrative provisions, particularly as regards the procedures for time limits applying in Annex I, which are necessary to comply with this Directive not later than one year after its notification.

Article 7

By way of derogation from the provisions of Annexes I and II, and until no later than 1 January 1983, Member States may:

- postpone the date of the first compulsory roadworthiness test,
- extend the interval between two successive compulsory roadworthiness tests,
- reduce the number of items to be tested,
- amend the categories of vehicles subject to compulsory roadworthiness tests,

provided that all the vehicles concerned are required to undergo roadworthiness tests in accordance with this Directive before that date.

Article 8

This Directive is addressed to the Member States.

Done at Brussels, 29 December 1976.

For the Council

The President

T. WESTERTERP

ANNEX I

Categories of vehicle	Frequency of tests
1. Motor vehicles used for the carriage of passengers and with more than eight seats, excluding the driver's seat	One year after the date on which the vehicle was first used, and thereafter annually
2. Motor vehicles used for the carriage of goods and having a maximum permissible weight exceeding 3 500 kg	One year after the date on which the vehicle was first used, and thereafter annually
3. Trailers and semi-trailers with a maximum permissible weight exceeding 3 500 kg	One year after the date on which the vehicle was first used, and thereafter annually
4. Taxis, ambulances	One year after the date on which the vehicle was first used, and thereafter annually

ANNEX II

The test shall cover at least the items listed below, provided that these are related to the obligatory equipment of the vehicle being tested in the Member State concerned.

1. BRAKING SYSTEMS

1. 1. Service brake
 - 1.1.1. Mechanical condition
 - 1.1.2. Efficiency
 - 1.1.3. Balance
 - 1.1.4. Vacuum pump and compressor
1. 2. Secondary brake
 - 1.2.1. Mechanical condition
 - 1.2.2. Efficiency
 - 1.2.3. Balance
1. 3. Parking brake
 - 1.3.1. Mechanical condition
 - 1.3.2. Efficiency
1. 4. Trailer or semi-trailer brakes
 - 1.4.1. Mechanical condition
 - Automatic braking system
 - 1.4.2. Efficiency

2. STEERING AND STEERING WHEEL

2. 1. Mechanical condition
2. 2. Steering wheel
2. 3. Steering play

3. VISIBILITY

- 3. 1. Field of vision
- 3. 2. Condition of glass
- 3. 3. Rear-view mirrors
- 3. 4. Windscreen wipers
- 3. 5. Screenwashers

4. LAMPS, REFLECTORS AND ELECTRICAL EQUIPMENT

- 4. 1. Main and dipped-beam headlamps
 - 4.1.1. Condition and operation
 - 4.1.2. Alignment
 - 4.1.3. Switches
 - 4.1.4. Visual efficiency
- 4. 2. Side lamps and end-outline marker lamps
 - 4.2.1. Condition and operation
 - 4.2.2. Colour and visual efficiency
- 4. 3. Stop lamps
 - 4.3.1. Condition and operation
 - 4.3.2. Colour and visual efficiency
- 4. 4. Direction-indicator lamps
 - 4.4.1. Condition and operation
 - 4.4.2. Colour and visual efficiency
 - 4.4.3. Switches
 - 4.4.4. Flashing frequency
- 4. 5. Front and rear fog lamps
 - 4.5.1. Position
 - 4.5.2. Condition and operation
 - 4.5.3. Colour and visual efficiency
- 4. 6. Reversing lamps
 - 4.6.1. Condition and operation
 - 4.6.2. Colour and visual efficiency
- 4. 7. Rear registration plate lamp
- 4. 8. Reflex reflectors
 - Condition and colour
- 4. 9. Tell-tales
- 4.10. Electrical connections between tractor vehicle and trailer or semi-trailer
- 4.11. Electrical wiring

5. AXLES, WHEELS, TYRES, SUSPENSION

- 5. 1. Axles
- 5. 2. Wheels and tyres
- 5. 3. Suspension

6. CHASSIS AND CHASSIS ATTACHMENTS

6. 1. Chassis or frame and attachments

- 6.1.1. General condition
- 6.1.2. Exhaust pipes and silencers
- 6.1.3. Fuel tank and pipes
- 6.1.4. Geometric properties and condition of rear protective device, heavy lorries
- 6.1.5. Spare wheel carrier
- 6.1.6. Coupling mechanism on tractor vehicles, trailers and semi-trailers.

6. 2. Cab and bodywork

- 6.2.1. General condition
- 6.2.2. Mounting
- 6.2.3. Doors and locks
- 6.2.4. Floor
- 6.2.5. Driver's seat
- 6.2.6. Running boards

7. OTHER EQUIPMENT

- 7. 1. Safety belts
- 7. 2. Fire extinguisher
- 7. 3. Locks and anti-theft device
- 7. 4. Warning triangle
- 7. 5. First-aid kit
- 7. 6. Wheel chock(s)
- 7. 7. Audible warning device
- 7. 8. Speedometer
- 7. 9. Tachograph (presence of, and integrity of seals)

8. NUISANCE

- 8. 1. Noise
- 8. 2. Exhaust emissions
- 8. 3. Suppression of radio interference

9. SUPPLEMENTARY TESTS FOR PUBLIC TRANSPORT VEHICLES

- 9. 1. Emergency exit(s) (including hammers for breaking windows), signs indicating emergency exit(s)
- 9. 2. Heating system
- 9. 3. Ventilation system
- 9. 4. Seat lay-out
- 9. 5. Interior lighting

10. VEHICLE IDENTIFICATION

- 10. 1. Registration number plate
 - 10. 2. Chassis number.
-

COMMISSION

COMMISSION DECISION

of 22 December 1976

laying down the standard code and rules governing the transcription into a machine-readable form of the data of the surveys of plantations of certain species of fruit trees, and laying down the boundaries of the production areas for these surveys

(77/144/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/625/EEC of 20 July 1976 concerning the statistical surveys to be carried out by the Member States in order to determine the production potential of plantations of certain species of fruit trees, and in particular Article 4 (2) and (4) thereof,

Whereas the equipment which the Commission has available for analyzing the results of the surveys of plantations of certain species of fruit trees and the need for its rational use require that the machine-readable forms compatible with the equipment be specified and that a standard format be prescribed for the transcription of the data into a machine-readable form;

Whereas within certain production areas homogeneous climatic and agronomic conditions exist which are associated with more or less uniform yields of fruit per hectare; whereas the use of survey results for each production area improves the accuracy of medium-term estimates of production; whereas the boundaries of such production areas shall be fixed;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee for Agricultural Statistics,

HAS ADOPTED THIS DECISION:

Article 1

The machine-readable forms for submission of the data provided for in Article 2 of Directive 76/625/EEC by those Member States which process their survey information electronically shall be either magnetic tape or 80-column punch cards.

Article 2

The standard format, codes and rules governing transcription on to magnetic tape or 80-column punch cards of the data provided for in Article 2 of Directive 76/625/EEC and the administrative procedure governing the transmission of the magnetic tape files to the SOEC shall be as set out in the Annexes hereto.

Article 3

The boundaries of the production areas to be adopted shall be as set out in the Annexes hereto.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 22 December 1976.

For the Commission

Guido BRUNNER

Member of the Commission

(¹) OJ No L 218, 11. 8. 1976, p. 10.

ANNEX I

Tape and punch-card specification for the delivery to the SOEC of the results of the statistical surveys of plantations of certain species of fruit trees to be carried out in Member States

(Directive 76/625/EEC)

(GENERAL PROVISIONS)

I. The information recorded in accordance with the characteristics referred to in Article 2 of Directive 76/625/EEC is to be delivered to the SOEC in the following form by those Member States which process their survey information electronically:

1. On nine-track magnetic tape 1600 BPI (630 bytes/cm) IBM standard label or no label or 80-column punch cards coded in EBCDIC.
2. The information shall refer to summaries of holdings if the survey is exhaustive (or to raised summaries of holdings if the survey is based on random sampling), and not to individual holdings.
3. The information shall be of fixed record length and shall be recorded in the following FORTRAN format:
I1, I2, I1, I3, I1, 10F7.0 (beginning in position 1 — see Annex III).
4. The first five fields of each record shall contain information to permit identification (country, production area, species, variety and density class). The codes for these fields are specified in the detailed provisions and in Annex II. The 10 following fields, each of seven digits, shall contain the information about the area in ares within each of the 10 age classes of the record. The age classes are defined in the detailed provisions. The information shall be entered right justified in each field.
5. In the case of punch cards, each card carries one record (from column 1); the rest of the card is to be left blank.
6. In the case of magnetic tape, Member States shall have a choice as to blocking factor; the SOEC must be informed as to what blocking factor has been used.
7. Member States shall specify on the documents accompanying the transmission, the number of species and the number of varieties within each species.
8. The records shall be sorted according to species, variety, area or territory and density of plantation (where the left to right order of names indicates major to minor sorting).

II. The following pages give for the various items of a record:

- (a) the codes which are to be used;
- (b) the number of digits required for the item in question;
- (c) the consecutive numbering of the positions for the various items.

DETAILED PROVISIONS

	Code	Number of digits	Byte number on tape or column number on card from to
1. Country		1	1
Deutschland	1		
France	2		
Italia	3		
Nederland	4		
Belgique/België	5		
Luxembourg	6		
United Kingdom	7		
Ireland	8		
Danmark	9		
2. Production area		2	2,3
Deutschland			
Norden	01		
Mitte	02		
Süden	03		
France			
Sud-ouest	01		
Sud-est	02		
Loire	03		
Reste	04		
Italia			
<i>(Apples, pears, peaches)</i>			
Val Padana e Alto Adige	01		
(peaches)			
Val Padana	11		
(apples and pears)			
Alto Adige	21		
(apples and pears)			
Piemonte e Valle d'Aosta	02		
Centrale	03		
Meridionale	04		
<i>(Oranges)</i>			
Sicilia	14		
Calabria	24		
Puglia e Basilicata	34		
Altre zone	05		
Nederland	00		
Belgique/België	00		
Luxembourg	00		
United Kingdom	00		
Ireland	00		
Danmark	00		
3. Species		1	4
Apples	1		
Pears	2		
Peaches: white flesh	3		
yellow flesh	4		
all peaches	7		
Oranges: blood oranges	5		
other sweet oranges	6		

	Code	Number of digits	Byte number on tape or column number on card from to
4. Variety		3	5—7
Codes for specified varieties of each species are given in Annex II			
5. Density of plantation (Trees per hectare)		1	8
Apples and pears			
Under 400	1		
400—799	2		
800—1599	3		
1600 and over	4		
Peaches			
Under 300	1		
300—399	2		
400—599	3		
600—799	4		
800 and over	5		
Oranges			
Under 250	1		
250—374	2		
375—499	3		
500—624	4		
625—749	5		
750 and over	6		
6. Age of trees ⁽¹⁾			
Age class 1		7	9—15
2		7	16—22
3		7	23—29
4		7	30—36
5		7	37—43
6		7	44—50
7		7	51—57
8		7	58—64
9		7	65—71
10		7	72—78

⁽¹⁾ The area for each age class is given in ares.

Age classes are defined as follows:

	<i>Apples, pears</i>	<i>Peaches</i>	<i>Oranges</i>
1	Under 1 year	Under 1 year	Under 1 year
2	1	1	1
3	2	2	2
4	3	3	3
5	4	4	4
6	5—9	5—9	5—9
7	10—14	10—14	10—14
8	15—24	15—19	15—24
9	25 and over	20 and over	25—39
10 ⁽²⁾	—	—	40 and over

⁽²⁾ In the case of apples, pears and peaches, the information of class 10 is seven zeros.

ANNEX II

Codes for specified varieties of each species for delivery to the SOEC of the results of the statistical surveys of plantations of certain species of fruit trees to be carried out in Member States

(Directive 76/625/EEC)

1. APPLES

Variety	Code
Golden Delicious	001
Reinette du Canada/Renetta del Canada	002
Reine des Reinettes/Goldparmäne	003
Red Delicious/Delicious Rosse	004
Reinette du Mans	005
Cox's Orange Pippin/Cox Orangen Renette	006
Boskoop/Schone van Boskoop/Belle de Boskoop	007
James Grieve	008
Jonathan	009
Tydemans Early Worcester	010
Granny Smith	011
Worcester Pearmain	012
Rambour d'hiver	013
Morgenduft	014
Abbondanza	015
Annurca	016
Gravenstein	018
Stayman	019
Glockenapfel	026
Ingrid Marie	031
Other varieties: named varieties — Deutschland	100—198
France	200—298
Italia	300—398
Nederland	400—498
Belgique/België	500—598
Luxembourg	600—698
United Kingdom	700—798
Ireland	800—898
Danmark	900—998
unnamed varieties (all countries)	999

2. PEARS

Variety	Code
Jules Guyot	001
Williams'	002
Passe Crassane/Passa Crassana	003
Beurré Hardy/Gellerts Butterbirne	004
Conference	005
Doyenné du Comice/Decana del Comizio	006
Louise Bonne d'Avranches/Buona Luisa d'Avranches	007
Légipont/Fondante de Charneux/Köstliche von Charneu	008
Clapp's Favourite/Clapps Liebling	009
Triomphe de Vienne	010
Précoce de Trévoux	011
Alexandre Lucas	012
Durondeau	013
Abate Fetel	015
Cosce	016
Kaiser Alexander	017
Madernassa	018
Spadona d'Estate	022
Butirra Précoce Morettini	023
Gentile Bianca	024
Other varieties: named varieties — Deutschland	100—198
France	200—298
Italia	300—398
Nederland	400—498
Belgique/België	500—598
Luxembourg	600—698
United Kingdom	700—798
Ireland	800—898
Danmark	900—998
unnamed varieties (all countries)	999

3. PEACHES

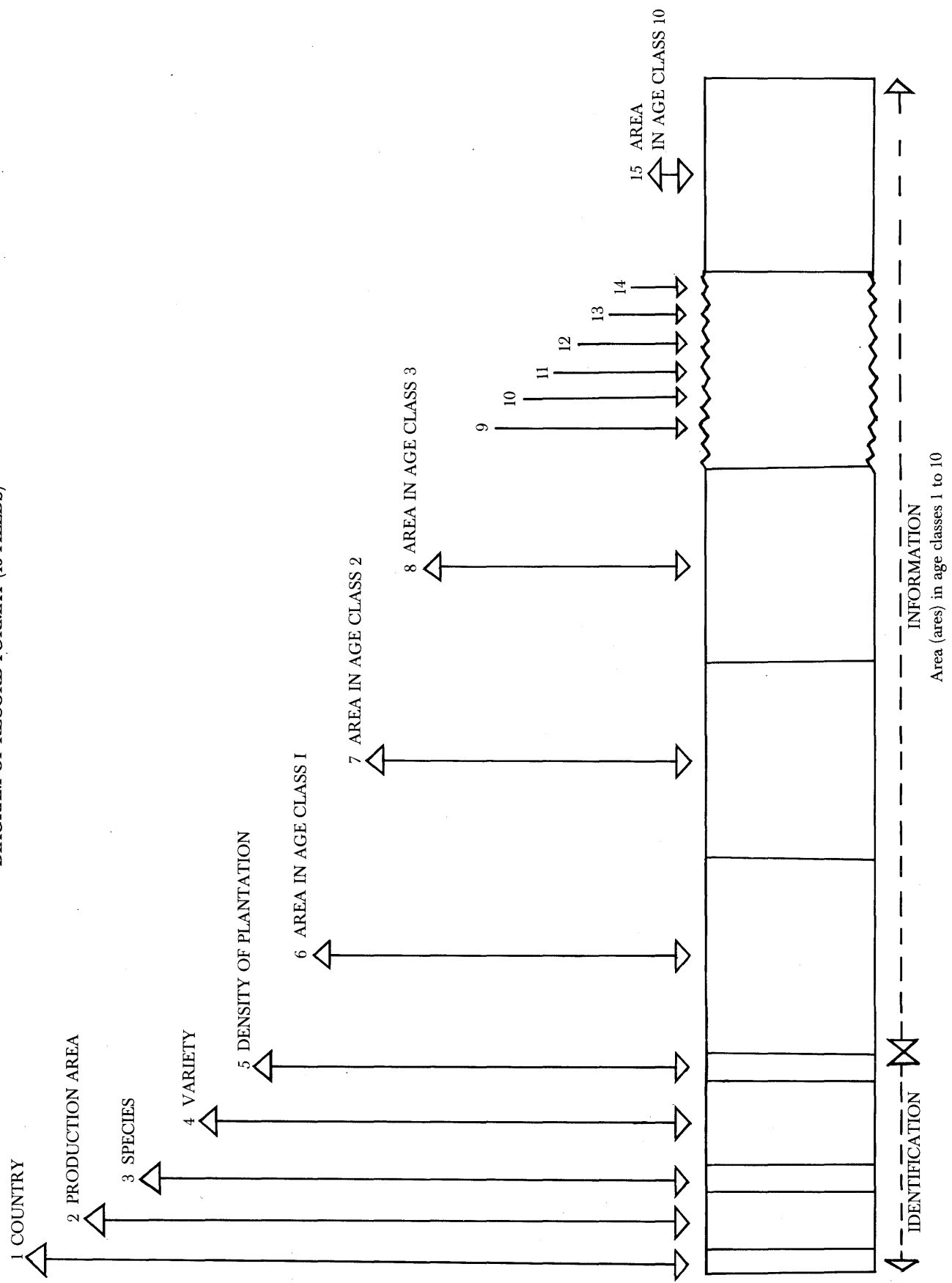
Varietal group	Code
White flesh	
Springtime	001
Amsden	002
Redwing	003
Michellini and Impero	004
Mayflower	005
Morettini 1 and 5/14	006
Pieri 81	007
Bella di Cesena and Sant'Anna Balducci	008
Other white flesh varieties:	
named varieties — France	200—298
Italy	300—398
unnamed varieties (both countries)	999
Yellow flesh	
Dixired	001
Redhaven	002
Fairhaven	003
Loring	004
J. H. Hale	005
Cardinal	006
Armgold	007
Blazing Gold and Collins	008
Southland	010
Vesuvio/Puteolana	011
Di Francia	015
Merril Franciscan	016
Elberta	017
Other yellow flesh varieties: named varieties — France	200—298
Italy	300—398
unnamed varieties (both countries)	999

4. ORANGES

Variety		Code
Blood oranges		
Sanguinello		001
Sanguinello 'Cuscuna'		011
Moro		002
Tarocco		004
Other blood oranges:	named varieties	300—398
	unnamed varieties	999
Other sweet oranges		
Ovale/Calabrese		003
Navels (group)		005
Valentia Late		015
Belladonna		006
Other sweet oranges:	named varieties	300—398
	unnamed varieties	999

ANNEX III

DIAGRAM OF RECORD FORMAT (15 FIELDS)



ANNEX IV

Boundaries of the production areas referred to in Article 3

BELGIUM:	Forms a single production area
DENMARK:	Forms a single production area
GERMANY:	1. Nord: Schleswig-Holstein, Niedersachsen, Hamburg, Bremen, Berlin 2. Mitte: Nordrhein-Westfalen, Hessen, Rheinland-Pfalz, Saarland 2. Süd: Baden-Württemberg, Bayern
FRANCE:	1. Sud-ouest: Limousin, Auvergne, Aquitaine, Midi-Pyrénées 2. Sud-est: Rhône-Alpes, Languedoc, Provence-Côte d'Azur 3. Loire: Pays de la Loire, Poitou-Charentes, Centre, Région parisienne 4. Remainder of France
IRELAND:	Forms a single production area
ITALY:	Apples, pears and peaches 1. Val Padana, Alto Adige (peaches) (a) Val Padana (apples and pears) Lombardia, Veneto, Friuli-Venezia Giulia, Emilia-Romagna (b) Trentino-Alto Adige (apples and pears) 2. Piemonte, Valle d'Aosta 3. Centrale: Liguria, Toscana, Umbria, Marche, Lazio, Abruzzo 4. Meridionale: Campania, Calabria, Molise, Puglia, Basilicata, Sicilia, Sardegna Oranges 1. Sicilia 2. Calabria 3. Puglia, Basilicata 4. Remainder of Italy
LUXEMBOURG:	Forms a single production area
NETHERLANDS:	Forms a single production area
UNITED KINGDOM:	Forms a single production area

COMMISSION DECISION
of 29 December 1976
authorizing the Grand Duchy of Luxembourg to restrict the marketing of seed of
certain varieties of agricultural plant species

(Only the French text is authentic)

(77/145/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species ⁽¹⁾, as last amended by Council Directive 73/438/EEC of 11 December 1973 ⁽²⁾, and in particular Article 15 (2) and (3) thereof,

Having regard to the application lodged by the Grand Duchy of Luxembourg,

Whereas under Article 15 (1) of the said Directive, seed and propagating material of varieties of agricultural plant species which have been officially accepted during the year 1974 in one or more of the Member States are, after 31 December 1976, no longer subject to any marketing restrictions relating to variety in the Community;

Whereas, however, Article 15 (2) of the said Directive provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the Grand Duchy of Luxembourg has applied for such authorization in respect of varieties of cereals;

Whereas the varieties of maize have not been the subject of official growing trials in the Grand Duchy of Luxembourg for the purpose of the Luxembourg application;

Whereas the varieties of maize concerned have an FAO maturity class index of 300 or over; whereas it is well known that the varieties of durum wheat and varieties of maize which have an FAO maturity class index of 300 or over at present are not yet suitable for cultivation in the Grand Duchy of Luxembourg (Article 15 (3) (c), second case thereof);

Whereas therefore the application of the Grand Duchy of Luxembourg in respect of all these varieties should be granted in full;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Grand Duchy of Luxembourg shall be authorized to prohibit the marketing in all of its territory of seed or propagating material of the following varieties listed in the 1977 common catalogue of varieties of agricultural plant species:

Cereals

1. *Triticum durum* L.
 - Brumaire
 - Campomoro
 - Cappelli Senatore
 - Castelnuovo
 - Creso
 - Granato
 - Rekita
 - Valfiora
 - Valselva
 - Wells

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

2. Zea mais L.	RX 82
Armada 452	RX 84
Atlas UC 2900	RX 86
Brio 'Asgrow 42'	Saturno TV 33
Champion 'Pag 40'	Saturno TV 34
Corail 'Pag 315'	Silver U 333
Cresus 'Pag 36 S'	Tiger
Dedalo	Tritone
Defi 'Pag 50 HT'	Ulisse.
Dekalb XL 373	
Diamant UC 5200	
Eclair 'Pag 51'	
Funk's G 23377	
Funk's G 68004	
Funk's G 68244	
Funk's G Aster	
Galeria	
Hybridor 464	
Hybridor 573	
Hybridor 609	
Hybridor 664	
Hybridor 703	
Hybridor 743	
Isonzo	
Jaguar UC 8700	
Kelly UC 3300	
Kobe UC 3600	
Pactole 'Inra 621'	
Peruviano	
Plata TV 28	
Regina	
Roffi 730	
Roz 'Anjou 303'	
RX 59	
RX 76	
RX 78	

Article 2

The authorization given in Article 1 shall be withdrawn once it is established that the conditions thereof are no longer being satisfied.

Article 3

The Grand Duchy of Luxembourg shall notify the Commission of the date from which it is making use of the authorization given under Article 1 and the detailed methods to be followed. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 29 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION DECISION
of 29 December 1976
extending for the Federal Republic of Germany in respect of a certain number of
varieties the period provided for in Article 15 (1) of Directive 70/457/EEC

(Only the German text is authentic)

(77/146/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species ⁽¹⁾, as last amended by Council Directive 73/438/EEC of 11 December 1973 ⁽²⁾, and in particular Article 15 (7) thereof,

Whereas, in accordance with the provisions of Article 15 (1) of the abovementioned Directive, seeds or propagating material of these varieties of agricultural species which have been officially approved during the year 1974 in at least one of the Member States and which also fulfil the conditions laid down in the said Directive are, with effect from 31 December 1976, no longer subject to any marketing restrictions relating to variety within the Community;

Whereas, however, Article 15 (2) of the abovementioned Directive provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the Federal Republic of Germany has requested by letter of 29 November 1976 such authorization for a certain number of varieties;

Whereas this request is now being carefully examined by the Commission; whereas the Commission has, by its Decision of 29 December 1976, granted such authorization for some of these varieties; whereas it is not possible to complete examination of the other varieties which are the subject of the request before expiry of the period in question; taking into

account in particular that durum wheat (*Triticum durum* L.) not under cultivation in Germany, is now under test for a possible cultivation of this species in that country; whereas it can therefore not be established at this stage whether varieties of this species are not yet suitable for cultivation in any part of the territory of the Federal Republic of Germany (Article 15 (3) (c) second case of the abovementioned Directive);

Whereas it consequently seems desirable to extend, for the Federal Republic of Germany, the period in question for an appropriate time to permit a full examination of the request for those other varieties;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. The period provided for in Article 15 (1) of Directive 70/457/EEC, shall be extended for the Federal Republic of Germany beyond 31 December 1976 until 31 March 1977 in respect of the following varieties:

I. Beets

Sugar beets
Marimono

II. Fodder plants

1. *Festuca rubra* L.
Erika
Wintergreen

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

2. *Lolium perenna* L.
Patora

Granato
Rekita
Valfiora
Valselva
Wells.

III. Cereals

Zea Mais L.
Sprint 180

2. The period referred to in paragraph 1 shall be extended for the Republic of Germany beyond 31 December 1976 to 31 December 1977 for the following varieties:

Article 2

This Decision is addressed to the Federal Republic of Germany.

Cereals

Triticum durum L.
Brumaire
Campomoro
Cappelli Senatore
Castelnuovo
Creso

Done at Brussels, 29 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION DECISION

of 29 December 1976

authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species

(Only the German text is authentic)

(77/147/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species ⁽¹⁾, as last amended by Council Directive 73/438/EEC of 11 December 1973 ⁽²⁾, and in particular Article 15 (2) and (3) thereof,

Having regard to the application lodged by the Federal Republic of Germany,

Whereas, under Article 15 (1) of the said Directive, seed and propagating material of varieties of agricultural plant species which have been officially accepted during the year 1974 in one or more of the Member States and which fulfil the conditions provided for in this Directive are, after 31 December 1976, no longer subject to any marketing restrictions relating to variety within the Community;

Whereas, however, Article 15 (2) of the said Directive provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the Federal Republic of Germany has applied for such authorization in respect of varieties of cereals;

Whereas the varieties of maize have not been the subject of official growing trials in the Federal Republic of Germany for the purpose of the German application; whereas the varieties of maize concerned have an FAO maturity class index of 350 or over; whereas it is well known that the varieties of maize which have an FAO maturity class index of 350 or

over at present are not yet suitable for cultivation in the Federal Republic of Germany (Article 15 (3) (c), second case thereof);

Whereas, therefore, the application of the Federal Republic of Germany in respect of all these varieties should be granted in full;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seed and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Federal Republic of Germany shall be authorized to prohibit the marketing in all of its territory of seed of the following varieties listed in the 1977 common catalogue of varieties of agricultural plant species:

Cereals

Zea mais L.
Armada 452
Atlas UC 2900
Brio 'Asgrow 42'
Champion 'Pag 40'
Cresus 'Pag 36 S'
Dedalo
Defi 'Pag 50 HT'
Dekalb XL 373
Diamant UC 5200
Eclair 'Pag 51'
Funk's G 23377
Funk's G 68004
Funk's G 68244
Funk's G Aster

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

Galeria

Article 2

Hybridor 464

Hybridor 573

Hybridor 609

Hybridor 664

Hybridor 703

Hybridor 743

Isonzo

Article 3

Jaguar UC 8700

Kelly UC 3300

Kobe UC 3600

Pactole 'Inra 621'

Peruviano

Plata TV 28

Regina

Roffi 730

RX 59

RX 76

RX 78

RX 82

RX 84

RX 86

Saturno TV 33

Saturno TV 34

Silver U 333

Tiger

Tritone

Ulissee.

The authorization given in Article 1 shall be withdrawn once it is established that the conditions thereof are no longer being satisfied.

The Federal Republic of Germany shall notify the Commission of the date from which it is making use of the authorization given under Article 1 and the detailed methods to be followed. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 29 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION DECISION

of 29 December 1976

extending for the French Republic in respect of a certain number of varieties the period provided for in Article 15 (1) of Directive 70/457/EEC

(Only the French text is authentic)

(77/148/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species ⁽¹⁾, as last amended by Council Directive 73/438/EEC of 11 December 1973 ⁽²⁾, and in particular Article 15 (7) thereof,

Whereas, in accordance with the provisions of Article 15 (1) of the abovementioned Directive, seed and propagating material of these varieties of agricultural plant species which have been officially accepted during the year 1974 in at least one of the Member States and which also fulfil the conditions laid down in the abovementioned Directive are, with effect from 31 December 1976, no longer subject to any marketing restrictions relating to variety within the Community;

Whereas, however, Article 15 (2) of the abovementioned Directive provides that a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the French Republic has requested by letter of 10 December 1976 such authorization for a certain number of these varieties;

Whereas this request is now being carefully examined by the Commission; whereas the Commission has, by its Decision of 29 December 1976, granted such authorization for some of these varieties; whereas in respect of the varieties Endura and Springfield (Perennial Ryegrass) the French Republic is not yet in a position for reasons in part beyond its control to justify its application;

Whereas, therefore, the period provided for in Article 15 (1) thereof should be extended in the case of the French Republic by an appropriate period to enable it to prepare the necessary data concerning these varieties (Article 15 (7) of the said Directive); whereas it is not possible for the Commission to complete examination of the other varieties which are the subject of the request before expiry of the period in question;

Whereas it consequently seems desirable to extend, for the French Republic, the period in question for an appropriate time to permit a full examination of the request;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. The period provided for in Article 15 (1) of Directive 70/457/EEC, shall be extended for the French Republic beyond 31 December 1976 until 31 March 1977 in respect of the following varieties:

I. Fodder plants

1. *Dactylis glomerata* L.
Oberweihst
2. *Phleum bertolonii* D. C.
Nobis

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

II. Cereals

1. *Hordeum distichum* L.
Hydra

2. *Triticum aestivum* L.
Solid

3. *Triticum durum* L.
Cappelli Senatore

3. In respect of the varieties listed in paragraph 2, this prolongation shall be valid only to the extent that their seed is intended for the production of fodder plants.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 29 December 1976.

2. In respect of the varieties Endura and Springfield (*Lolium perenne* L.) the period referred to in paragraph 1 shall be extended for the French Republic from 31 December 1976 to 31 December 1979.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION DECISION

of 29 December 1976

authorizing the French Republic to restrict the marketing of seed of certain varieties
of agricultural plant species

(Only the French text is authentic)

(77/149/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community,

Having regard to the Council Directive 70/457/EEC
of 29 September 1970 on the common catalogue of
varieties of agricultural plant species ⁽¹⁾, as last
amended by the Council Directive 73/438/EEC of
11 December 1973 ⁽²⁾, and in particular Article 15 (2)
and (3) thereof,

Having regard to the request made by the French
Republic,

Whereas, under Article 15 (1) of the said Directive,
seed and propagating material of varieties of agri-
cultural plant species which have been officially
accepted during the year 1974 in one or more of the
Member States and which fulfil the conditions
provided for in that Directive are, after 31 December
1976, no longer subject to any marketing restrictions
relating to variety in the Community;

Whereas, however, Article 15 (2) thereof provides
that a Member State may be authorized upon
application to prohibit the marketing of seed and
propagating material of certain varieties;

Whereas the French Republic has applied for such
authorization in respect of some varieties of different
species;

Whereas the varieties of small timothy and of maize
have not been the subject of official growing trials
in the French Republic for the purpose of the French
application;

Whereas the species of small timothy has not yet
been put to agricultural use in the French Republic;

whereas the varieties of maize concerned have an
FAO maturity class index of 700 or over; whereas
it is well known that the variety of timothy
considered as fodder plant as well as the varieties of
maize which have an FAO maturity class index of
700 or over at present are not yet suitable for
cultivation in the French Republic (Article 15 (3) (c),
second case thereof);

Whereas therefore the application of the French
Republic in respect of all these varieties should be
granted in full;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. The French Republic shall be authorized to
prohibit the marketing in all of its territory of seed
or propagating material of the following varieties
listed in the 1977 common catalogue of varieties of
agricultural plant species:

I. Fodder plants

Phleum bertolonii D. C.
Aberystwyth S. 50

II. Cereals

Zea mais L
Dekalb XL 373
Funk's G 68244
Hybridor 703
Hybridor 743

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

Isonzo
Jaguar UC 8700
Peruviano
Regina
RX 82
RX 84
RX 86
Tritone.

Article 3

The French Republic shall notify the Commission of the date from which it makes use of the authorization under Article 1 and the detailed methods to be followed. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the French Republic.

Done at Brussels, 29 December 1976.

Article 2

The authorization given in Article 1 shall be withdrawn once it is established that the conditions thereof are no longer being satisfied.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION DECISION
of 29 December 1976
authorizing the French Republic to restrict the marketing of a variety of cereals
(Only the French text is authentic)
(77/150/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Article 15 (1) for this variety for the French Republic
to 31 December 1976;

Having regard to the Treaty establishing the
European Economic Community,

Whereas the Commission has meanwhile completed
its examination of the French application in respect
of this variety;

Having regard to the Council Directive 70/457/EEC
of 29 September 1970 on the common catalogue of
varieties of agricultural plant species ⁽¹⁾, as last
amended by the Council Directive 73/438/EEC of
11 December 1973 ⁽²⁾, and in particular Article 15 (2)
and (3) thereof,

Whereas the variety has been the subject of official
growing trials in the French Republic; whereas the
results of these trials have led the French Republic
to decide that this variety is not sufficiently uniform
there;

Having regard to the request made by the French
Republic,

Whereas in respect of this variety the results of the
trials show that in the French Republic, when
compared with the national rules governing the
acceptance of varieties there, which apply as part of
current Community provisions, it is not sufficiently
uniform in certain characteristics (Article 15 (3) (a)
of the said Directive);

Whereas, under Article 15 (1) of the said Directive,
seed and propagating material of varieties of
agricultural plant species which have been officially
accepted during the year 1973 in one or more of the
Member States and which fulfil the conditions
provided for in that Directive are, since 31 December
1975, no longer subject to any marketing restrictions
relating to variety in the Community;

Whereas therefore the application of the French
Republic in respect of this variety should be granted
in full;

Whereas, however, Article 15 (2) thereof provides
that a Member State may be authorized upon
application to prohibit the marketing of seed and
propagating material of certain varieties;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

Whereas the French Republic had applied for such
authorization in respect of the variety Canova (2-
row barley) before expiry of the said period;

HAS ADOPTED THIS DECISION:

Whereas the Commission Decision of 30 June
1976 ⁽³⁾ extended the period provided for in the said

Article 1

The French Republic is hereby authorized to prohibit
the marketing in its territory of seed of the variety
Canova (*Hordeum distichum* L.) listed since 1976 in
the common catalogue of varieties of agricultural
plant species.

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

⁽³⁾ OJ No L 235, 26. 8. 1976, p. 24.

Article 2

The authorization under Article 1 shall be withdrawn as soon as it is established that the conditions thereof are no longer satisfied.

Article 3

The French Republic shall notify the Commission of the date from which it makes use of the authorization under Article 1 and the detailed methods to be followed. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the French Republic.

Done at Brussels, 29 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION DECISION

of 29 December 1976

extending for the United Kingdom in respect of a certain number of varieties the period provided for in Article 15 (1) of Directive 70/457/EEC

(Only the English text is authentic)

(77/151/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species⁽¹⁾, as last amended by Council Directive 73/438/EEC of 11 December 1973⁽²⁾, and in particular Article 15 (7) thereof,

Whereas, in accordance with the provisions of Article 15 (1) of the abovementioned Directive, seeds and propagating material of varieties of agricultural plant species which have been officially accepted during the year 1974 in at least one of the Member States and which also fulfil the conditions laid down in the abovementioned Directive are, with effect from 31 December 1976, no longer subject to any marketing restrictions relating to variety within the Community;

Whereas, however, Article 15 (2) of the abovementioned Directive provides that a Member State may be authorized upon application to prohibit the marketing of seeds and propagating material of certain varieties;

Whereas the United Kingdom has requested by letter of 25 November 1976 such authorization for a certain number of varieties;

Whereas this request is now being carefully examined by the Commission; whereas it is not possible to complete examination of all the varieties which are the subject of the request before expiry of the period provided for in Article 15 (1) of the abovementioned Directive;

Whereas it consequently seems desirable to extend, for the United Kingdom, the period in question for

an appropriate time to permit a full examination of the request;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The period provided for in Article 15 (1) of Directive 70/457/EEC, shall be extended for the United Kingdom beyond 31 December 1976 until 31 March 1977 in respect of the following varieties:

I. Fodder plants

Lolium perenne L.
Belida
Patora

II. Cereals

1. Hordeum distichum L.
Pirouette
Ramona
2. Triticum aestivum L.
Burma.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 29 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

COMMISSION DECISION

of 29 December 1976

authorizing Member States to permit temporarily the marketing of forestry reproductive material not complying with requirements of Council Directive 66/604/EEC

(77/152/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/404/EEC of 14 June 1966 on the marketing of forest reproductive material⁽¹⁾, as last amended by Council Directive 75/445/EEC of 26 June 1975⁽²⁾, and in particular Article 15 (1) thereof,

Having regard to the requests submitted by the nine Member States,

Whereas the production of reproductive material of the species set out in the Annex hereto is at present insufficient in all Member States so that their requirements for reproductive material conforming to the requirements of the above Directive cannot be met;

Whereas third countries are no more in a position to supply sufficient reproductive material of the relevant species which can afford the same guarantees as Community reproductive material and which conforms to the requirements of the above Directive;

Whereas the Member States should therefore be authorized to allow, for a limited period, the marketing of reproductive material of the relevant species which satisfies less stringent requirements;

Whereas, for genetic reasons, the seed must be collected at places of origin within the natural range of the relevant species and, while the strictest possible guarantees must be given to ensure the identity of the seed;

Whereas each of the nine Member States should furthermore be authorized to approve for marketing

in its own territory seed which satisfies less stringent requirements, together with plants produced therefrom, which have been approved for marketing under this Decision in another Member State; whereas such a measure is likely to permit intra-Community trade in the relevant reproductive material and to satisfy better the respective needs of the Member States involved;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States are hereby authorized, on the terms set out in the Annex hereto and on condition that the proof specified in Article 2 is furnished with regard to the place of provenance of the seed and the altitude at which it was collected, to approve for marketing within their own territory seed satisfying less stringent requirements.

2. Member States are further authorized to approve for marketing in their own territory seed approved for marketing under this Decision in another Member State.

3. Member States are further authorized to approve for marketing in their own territory plants produced from the abovementioned seed.

Article 2

1. The proof referred to in Article 1 (1) shall be deemed to be furnished where the seed is of the category 'source-identified reproductive material' as defined in the 'OECD scheme for the control of forest reproductive material moving in international trade'.

2. Where the OECD scheme referred to in paragraph 1 is not used at the place of provenance of the seed, other official evidence shall be admissible.

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2326/66.

⁽²⁾ OJ No L 196, 26. 7. 1975, p. 14.

3. Where official evidence cannot be provided in the case of the species *Larix Leptolepis* and *Pinus strobus*, Member States may accept other, non-official, evidence.

Article 3

Authorizations granted under Article 1 (1), which concern the first marketing in the territory of different Member States, shall expire on 31 December 1977. Authorizations granted under Article 1 (1), which do not concern the first marketing, and authorizations granted under Article 1 (2), shall expire on 31 December 1981.

Article 4

Member States shall before 31 January 1978 notify the Commission of the quantities of seed satisfying

less stringent requirements which are first marketed in their own territory under this Decision. The Commission shall inform the other Member States thereof.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 29 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

Member State	Abies alba Mill.		Fagus silvatica L.		Larix decidua Mill.	
	(kg)	Provenance	(kg)	Provenance	(kg)	Provenance
Belgium	—		—		75	Czechoslovakia Poland
Denmark	800	Romania	—		—	
Federal Republic of Germany	200	Austria Switzerland Czechoslovakia Poland Romania	—		200	Austria Switzerland Czechoslovakia Poland
France	—		5 000	France	300	Austria Switzerland Czechoslovakia Poland
Ireland	—		500	Romania	5	Poland
Italy	—		—		80	Japan
Luxembourg	2	Washington (USA)	—		—	
Netherlands	50	Romania	25 000	Bulgaria Czechoslovakia Romania	50	Czechoslovakia Poland
United Kingdom	260	Austria Switzerland Democratic Republic of Germany Poland Romania	2 100	Romania	175	Czechoslovakia Poland

Member State	Larix leptolepis (Sieb. & Zucc.) Gord.		Picea abies Karst.		Picea sitchensis Trautv. et Mey.	
	(kg)	Provenance	(kg)	Provenance	(kg)	Provenance
Belgium	140	Japan	150	Czechoslovakia Poland Romania	70	Washington (USA)
Denmark	—		—		75	British Columbia (CDN) Washington (USA)
Federal Republic of Germany	—		100	Austria Switzerland Czechoslovakia Democratic Republic of Germany Poland Romania Yugoslavia	400	British Columbia (CDN) Washington (USA)
France	315	Japan	200	Poland	300	Washington (USA)
Ireland	70	Japan	—		30	British Columbia Queen Charlotte Islands (CDN)
Italy	—		—		—	
Luxembourg	2	Japan	—		—	
Netherlands	80	Japan	100	Czechoslovakia Poland	25	British Columbia (CDN) Washington (USA)
United Kingdom	1 045	Japan	125	Czechoslovakia Poland	2 432	British Columbia (CDN) Washington (USA)

Member State	Pinus nigra Arn.		Pinus silvestris L.		Pinus strobus L.	
	(kg)	Provenance	(kg)	Provenance	(kg)	Provenance
Belgium	200	Austria Yugoslavia	—		50	Austria Yugoslavia
Denmark	—		65	Norway	—	
Federal Republic of Germany	400	Austria Yugoslavia	100	Austria Czechoslovakia Democratic Republic of Germany Poland	100	Austria Switzerland Czechoslovakia Democratic Republic of Germany Appalachians (USA)
France	—		400	Poland USSR	250	Switzerland Appalachians (USA)
Ireland	—		—		—	
Italy	—		—		150	USA
Luxembourg	—		—		—	
Netherlands	200	Austria Yugoslavia	—		50	Ontario (CDN) Appalachians (USA)
United Kingdom	—		—		—	

Member State	Pseudotsuga taxifolia (Poir.) Britt.		Quercus borealis Michx.		Quercus pedunculata Ehrh.	
	(kg)	Provenance	(kg)	Provenance	(kg)	Provenance
Belgium	500	Washington (USA)	—		—	
Denmark	100	British Columbia (CDN) Oregon, Washington (USA)	—		—	
Federal Republic of Germany	9000	British Columbia (CDN) Oregon, Washington (USA)	—		10 000	Czechoslovakia Democratic Republic of Germany Poland Romania Yugoslavia
France	5 000	Oregon, Washington (USA)	—		8 000	France
Ireland	50	Washington (USA)	—		—	
Italy	500	North California Oregon, Washington (USA)	—		—	
Luxembourg	12	Washington (USA)	12	USA	—	
Netherlands	400	British Columbia (CDN) Washington (USA)	10 000	Hungary Poland Romania	50 000	Hungary Poland Romania Yugoslavia
United Kingdom	450	British Columbia (CDN) Oregon, Washington (USA)	5 450	Austria Czechoslovakia Poland Romania	17 500	Romania

Member State	Quercus sessiliflora Sal.					
	(kg)	Provenance	(kg)	Provenance	(kg)	Provenance
Belgium	—		—		—	
Denmark	15 000	Norway	—		—	
Federal Republic of Germany	—		—		—	
France	15 000	France	—		—	
Ireland	—		—		—	
Italy	—		—		—	
Luxembourg	—		—		—	
Netherlands	25 000	Czechoslovakia Democratic Republic of Germany Poland	—		—	
United Kingdom	7 400	Romania	—		—	