

COMMISSION REGULATION (EC) No 1944/2004**of 10 November 2004****authorising transfers between the quantitative limits of textiles and clothing products originating in the People's Republic of China**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

(2) On 2 August 2004 the People's Republic of China submitted a request for transfers of quantities from the quota year 2003 to the quota year 2004.

(3) The transfers requested by the People's Republic of China fall within the limits of the flexibility provisions referred to in Article 5 of the Agreement between the European Economic Community and the People's Republic of China on trade in textile products, initialled on 9 December 1988, and as set out in Annex VIII, column 9 to Regulation (EEC) No 3030/93.

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 10 November 2004.

For the Commission

Pascal LAMY

Member of the Commission

⁽¹⁾ OJ L 275, 8.11.1993, p. 1. Regulation as last amended by Regulation (EC) No 1627/2004, (OJ No L 295, 18.9.2004, p. 1).

⁽²⁾ OJ L 352, 15.12.1990, p. 1.

⁽³⁾ OJ L 314, 14.12.2000, p. 13.

ANNEX

720 China					ADJUSTMENT Transfers from quota year 2003		
Group	Category	Unit	Limit 2004	Working level after implementing normal flexibilities	Quantity	%	New adjusted working level
IA	1	kgs	4 770 000	4 455 350	190 800	4,0	4 646 150
IA	2a	kgs	4 359 000	4 533 360	121 624	2,8	4 654 984
IA	3	kgs	8 088 000	8 233 380	30 631	0,4	8 264 011
IA	3a	kgs	2 769 000	2 879 760	89 653	3,2	2 969 413
IB	5	pcs	39 422 000	39 814 430	63 825	0,2	39 878 255
IB	5a	pcs	250 000	257 500	10 000	4,0	267 500
IB	6	pcs	40 913 000	41 294 420	176 003	0,4	41 470 423
IB	7	pcs	17 093 000	17 605 790	683 720	4,0	18 289 510
IB	8	pcs	27 723 000	28 554 690	462	0,002	28 555 152
IIA	9	kgs	6 962 000	7 406 210	61 956	0,9	7 468 166
IIA	20/39	kgs	11 361 000	11 901 840	99 954	0,9	12 001 794
IIA	22	kgs	19 351 000	16 780 878	774 040	4,0	17 554 918
IIA	23	kgs	11 847 000	3 202 410	473 880	4,0	3 676 290
IIB	13	pcs	586 244 000	613 195 160	285 710	0,05	613 480 870
IIB	14	pcs	17 887 000	18 423 610	715 480	4,0	19 139 090
IIB	15	pcs	20 131 000	21 072 590	274 510	1,4	21 347 100
IIB	16	pcs	17 181 000	18 241 410	149 117	0,9	18 390 527
IIB	17	pcs	13 061 000	13 452 830	522 440	4,0	13 975 270
IIB	26	pcs	6 645 000	7 077 360	180 460	2,7	7 257 820
IIB	28	pcs	92 909 000	101 270 810	3 220 806	3,5	104 491 616
IIB	29	pcs	15 687 000	16 410 980	126 255	0,8	16 537 235
IIB	31	pcs	96 488 000	100 979 370	42 992	0,04	101 022 362
IIB	78	kgs	36 651 000	36 762 570	934 242	2,5	37 696 812
IIB	83	kgs	10 883 000	11 378 820	274 079	2,5	11 652 899
IIIB	97	kgs	2 861 000	3 118 490	114 440	4,0	3 232 930
	163	kgs	8 481 000	8 921 840	13 235	0,2	8 935 075
Other	X20	kgs	59 000	60 770	2 380	4,0	63 130

720 China					ADJUSTMENT Transfers from quota year 2003		
Group	Category	Unit	Limit 2004	Working level after implementing normal flexibilities	Quantity	%	New adjusted working level
Other	X117	kgs	684 000	745 560	27 360	4,0	772 920
Other	X118	kgs	1 513 000	1 649 170	60 520	4,0	1 709 690
Other	X122	kgs	220 000	226 600	8 800	4,0	235 400
Other	X136A	kgs	462 000	475 860	18 480	4,0	494 340
Other	X156	kgs	3 986 000	4 105 580	159 440	4,0	4 265 020
Other	X157	kgs	13 738 000	13 933 540	549 520	4,0	14 483 060
Other	X159	kgs	4 352 000	4 482 560	174 080	4,0	4 656 640