COMMISSION DECISION

of 14 February 1973

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to cutlery, spoons and forks of stainless steel falling within headings Nos ex 82.09 and 82.14 A of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States

(Only the French and the Dutch texts are authentic)

(73/16/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under Article 115 of the Treaty, made on 9 February 1973 by the governments of the Benelux countries by telex of the Permanent Representative of the Netherlands to the European Communities, for authorization not to apply Community treatment to cutlery, spoons and forks of stainless steel falling within headings No ex 82.09 and 82.14 A of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States ;

Whereas differences in the measures of commercial policy taken in connection with these products by the Benelux countries and by the other Member States, as regards Japan are giving rise to deflection of trade ;

Whereas this deflection of trade is preventing the execution of measures of commercial policy taken by the Benelux countries as regards Japan ;

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

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

Whereas a uniform system of imports could be adopted for the products in question as part of a common commercial policy as regards Japan ; whereas the period of validity of these protective measures should expire upon the introduction of such a system ;

HAS ADOPTED THIS DECISION :

Article 1

The Kingdom of Belgium, the Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to imports of the following products, where they originate in Japan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 30 January 1973 :

CCT heading No	Description
ex 82.09	Knives with cutting blades, serrated or not, including pruning knives, of stainless steel
82.14 A	Spoons, forks, fish-eaters, butter-knives, ladles, and similar kitchen or tableware, of stainless steel

Article 2

The period of validity of this Decision shall expire upon the introduction of a uniform system of imports as part of the common commercial policy as regards Japan and in any event not later than 31 December 1973.

Article 3

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

Done at Brussels, 14 February 1973.

For the Commission

The President

François Xavier ORTOLI

(1) OJ No L 121, 3. 6. 1971.