COMMISSION DECISION

of 8 February 1973

authorizing the French Republic not to apply Community treatment to fruit (whether or not cooked), preserved by freezing, not containing added sugar falling within heading No 08.10 of the Common Customs Tariff, originating in Brazil and in free circulation in the other Member States

(Only the French text is authentic)

(73/18/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the application under the first paragraph of Article 115 of the Treaty made on 2 February 1973 by the French Government to the Commission by telex from the office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to fruit (whether or not cooked), preserved by freezing, not containing added sugar falling within heading No 08.10 of the Common Customs Tariff, originating in Brazil and in free circulation in the other Member States ;

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

Whereas this deflection of trade is preventing the execution of measures of commercial policy taken by France as regards Brazil ;

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

Whereas a proposal for a Regulation on a uniform system of imports for products processed from fruit and vegetables, to be applied by each Member State as regards third countries, has been placed before the Council ;

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is authorized not to apply Community treatment to imports of the following products, where they originate in Brazil and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 23 January 1973.

CCT heading No	Description
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar

Article 2

The period of validity of this Decision shall expire upon the introduction of a Council Regulation on a uniform system of imports for products processed from fruit and vegetables and in any event not later than 31 December 1973.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 8 February 1973.

For the Commission

The President

François-Xavier ORTOLI

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