II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 January 1973

authorizing the Italian Republic not to apply Community treatment to diodes falling within heading No 85.21 ex D of the Common Customs Tariff originating in Japan and in free circulation in the other Member States

(73/3/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 4 January 1973 by the Italian Government to the Commission by telex from the office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to diodes falling within heading No 85.21 ex D 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 Italy 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 Italy 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, 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 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 Italian Government is 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 26 December 1972 :

CCT heading No	Description
85.21 ex D	Diodes

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 March 1973.

Article 3

This Decision is addressed to the Italian Government.

Done at Brussels, 10 January 1973.

For the Commission

The President

François-Xavier ORTOLI

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