II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 July 1973

authorizing the French Republic not to apply Community treatment to matches falling within heading No 36.06 of the Common Customs Tariff originating in third countries and put into free circulation in other Member States

(Only the French text is authentic)

(73/303/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 by the French Government by telex from the office of its Permanent Representative to the European Communities on 16 July 1973, for authorization not to apply Community treatment to matches, falling within heading No 36.06 of the Common Customs Tariff originating in third countries and put into free circulation in other Member States;

Whereas the product in respect of which the application was submitted is subject to no Community quantitative restrictions when imported from the third countries specified in the list annexed to Regulation (EEC) No 1025/70 of 25 May 1970 establishing common rules for imports from third countries, whereas as regards other third countries each Member State applies its own different rules;

Whereas in France the importation of matches from any third country is subject to monopoly arrangements; whereas these arrangements, which are in accordance with the Treaty, include measures of commercial policy within the meaning of Article 115 of the Treaty other than quantitative restrictions as referred to in Article 1 of the abovementioned Regulation; whereas it appears from the information supplied by the French Government that these measures consist at present in a decision not to authorize until the end of the current year the importation from third countries of matches for resale in France;

Whereas the differences in the measures of commercial policy taken in connection with this product by France and by the other Member States as regards third countries is causing deflection of trade;

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

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,

[1] OJ No L 121, 3. 6. 1971, p. 26.

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to imports for resale in France of:

CCT heading No	Description of product
36.06	Matches (excluding Bengal matches)

originating in third countries and put into free circulation in other Member States in respect of which applications for import licences were lodged after 8 July 1973.

Article 2

This Decision shall apply until 31 December 1973.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 24 July 1973.

For the Commission

The President

François-Xavier ORTOLI