COMMISSION DECISION

of 5 March 1974

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 Federal Republic of Germany

(Only the Italian text is authentic)

(74/136/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 25 February 1974 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 Federal Republic of Germany;

Whereas differences in the measures of commercial policy taken in connection with these products by Italy and by the Federal Republic of Germany 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 Federal Republic of Germany;

Whereas authorization should be given, for the deflection of trade in question 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,

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 Federal Republic of Germany, and in respect of which application for import licences were lodged after 18 February 1974 and are pending with the Italian authorities.

CCT heading No	Description
85.21 ex D	Diodes

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 5 March 1974.

For the Commission

The President

François-Xavier ORTOLI

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