II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 July 1974

authorizing the French Republic not to apply Community treatment to mushrooms, falling within heading No 07.04 ex B of the Common Customs Tariff, originating in Taïwan and in free circulation in the Federal Republic of Germany

(Only the French text is authentic)

(74/398/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 17 July 1974 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 mushrooms, falling within heading No 07.04 ex B of the Common Customs Tariff, originating in Taïwan and in free circulation in Germany;

Whereas differences in the measures of commercial policy taken in connection with these products by France and by Germany as regards Taïwan 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 Taïwan;

Whereas it is not possible at the present time to set in motion the machinery for bringing about the necessary cooperation from 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 French Republic is authorized not to apply Community treatment to imports of the following products, where they originate in Taïwan and are in free circulation in Germany, and in respect of which applications for import licences were lodged after 7 July 1974 and are, at the date of the present decision, pending with the French authorities:

CCT heading No	Description of goods
07.04 ex B	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared — mushrooms

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 23 July 1974.

For the Commission

The President

François-Xavier ORTOLI

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