II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 3 March 1976

concerning the application made by the United Kingdom under Article 115 of the Treaty for authorization to apply protective measures in respect of certain yarn of man-made fibres (discontinuous), falling within subheading 56.05 ex A of the Common Customs Tariff, originating in South Korea and in free circulation in the other Member States

(Only the English text is authentic)

(76/411/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 1976 by the United Kingdom Government to the Commission by telex from the office of its Permanent Representative to the European Communities, for authorization to apply protective measures in respect of the importation of certain yarn of man-made fibres (discontinuous) not put up for retail sale, falling within subheading 56.05 ex A of the Common Customs Tariff, originating in South Korea and in free circulation in Denmark,

Whereas the importation into the Community of the products in question originating in South Korea is the subject of an Agreement negotiated between the Community and South Korea and initialled on 28 November 1975 ;

Whereas, under the Agreement, South Korea has undertaken to take all necessary steps to limit its exports of certain textile products to the Community to certain ceilings allocated among the Member States ;

Whereas the 1976 quota share allocated to the United Kingdom for yarn of man-made fibres is 1 295 metric tons, while 604 metric tons of this product represent the quota for Denmark ;

Whereas the affected sector of the textile industry is experiencing serious economic difficulties which manifest themselves particularly in a high level of unemployment ;

Whereas the allocation of the quota in question still involves certain disparities in the quota shares fixed for the various Member States in relation to the supply requirements of the markets concerned ;

Whereas these disparities have caused in the United Kingdom a flow of indirect traffics of the products in question, originating in the Republic of Korea and in free circulation in the other Member States, which threatens to continue and to grow ;

Whereas according to information supplied by the Government of the United Kingdom there are serious economic difficulties in the branch of the industry concerned by the application, resulting in a progressive decline of production and a constant reduction of the number of workers employed in that sector ;

Whereas these economic difficulties are caused largely by unequal conditions of competition with certain countries (including the Republic of Korea), whereby such countries are enabled to export at prices lower than those of producers in the United Kingdom ;

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 accordingly 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 the request for a licence which gave rise to the application under Article 115 need not be covered by this authorization in view of the small amount involved,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is authorized not to apply Community treatment to imports of the following product:

CCT heading No	Description of goods
56.05	Yarn of man-made fibres (discontinuous or waste) not put up for retail sale: ex A. Of synthetic textile fibres: — Of acrylic fibres

where they originate in the Republic of Korea and are in free circulation in the other Member States and in respect of which applications for import licences were lodged after 24 February 1976.

Article 2

This Decision shall apply until new opportunities arise in the United Kingdom for the importation of the products in question from the Republic of Korea and in any case not later than 31 December 1976.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 3 March 1976.

For the Commission

Christopher SOAMES

Vice-President

(1) OJ No L 121, 3. 6. 1971, p. 26.