COMMISSION DECISION

of 4 March 1976

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to certain men's and boys' outer garments, falling within heading No ex 61.01 of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(76/413/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 to the Commission under the first paragraph of Article 115 of the Treaty, made on 27 February 1976 by the Governments of the Benelux countries by telex from the office of the Permanent Representative of the Kingdom of the Netherlands to the European Communities, for authorization not to apply Community treatment to certain men's and boys' outer garments (suits, jackets, blazers and the like), falling within heading No ex 61.01 of the Common Customs Tariff, originating in Taiwan and in free circulation in the Federal Republic of Germany,

Whereas the importation into the Benelux countries of the products in question originating in Taiwan is subject, under Council Regulation (EEC) No 1783/75 of 10 July 1975 on rules for imports of certain textile products originating in Taiwan [1], to a quota fixed for 1976 at seven metric tons, while in the Federal Republic of Germany, the importation of these same products originating in Taiwan is not subject to any quota ;

Whereas the differences in the conditions governing the importation of the products in question have created an indirect trade flow in the Benelux countries which threatens to continue and to grow ;

Whereas, according to information supplied by the Governments of the Benelux countries, there are serious economic difficulties in the industry manufacturing the products in question 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 Taiwan) whereby such countries are enabled to export at prices lower than those of producers in the Benelux countries ;

Whereas the indirect imports in question, which would be in addition to those already effected, would be likely to aggravate these economic difficulties ;

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 and 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 [2], and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION :

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to imports of the following products :

CCT heading No	Description of goods
ex 61.01	Men's and boys' outer garments : — Suits, jackets, blazers and the like

where they originate in Taiwan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 16 February 1976.

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of

[1] OJ No L 182, 12. 7. 1975, p. 2.

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

the products in question from Taiwan and in any case not later than 31 December 1976.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 4 March 1976.

For the Commission

Christopher SOAMES

Vice-President