COMMISSION DECISION

of 5 March 1976

authorizing the Italian Republic not to apply Community treatment to concentrated orange juice, falling within heading No ex 20.07 of the Common Customs Tariff, originating in the Republic of South Africa and in free circulation in the Federal Republic of Germany

(Only the Italian text is authentic)

(76/414/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 24 February 1976 by the Italian Government by telex from the office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to concentrated orange juice, falling within heading No ex 20.07 of the Common Customs Tariff, originating in the Republic of South Africa and in free circulation in the Federal Republic of Germany,

Whereas, as stated in the application, Italy offers no opportunity for the importation of the products in question from the Republic of South Africa, while imports of the same products are not subject to any quantitative restrictions in the Federal Republic of Germany ;

Whereas the differences in the commercial policy measures adopted by Italy and the Federal Republic of Germany in respect of these products *vis-à-vis* the Republic of South Africa are giving rise to deflections of trade ;

Whereas these deflections of trade are preventing the implementation of the commercial policy measures currently applied by Italy *vis-à-vis* the Republic of South Africa ;

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, in order to ensure that the implementation of the said commercial policy measures is not obstructed, 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 Article 1 thereof,

HAS ADOPTED THIS DECISION :

Article 1

The Italian Republic is authorized not to apply Community treatment to imports of the following products :

CCT heading No	Description of goods
ex 20.07	Concentrated orange juice

where they originate in the Republic of South Africa and are in free circulation in the Federal Republic of Germany, and in respect of which applications for import licences lodged after 17 February 1976 are at the date of this Decision being considered by the Italian authorities.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 5 March 1976.

For the Commission

Christopher SOAMES

Vice-President

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