COMMISSION DECISION

of 9 June 1976

authorizing the French Republic not to apply Community treatment to certain setts, flags and paving, hearth and wall tiles, falling within subheadings 69.07 ex A and B ex II and 69.08 ex A and B ex II of the Common Customs Tariff, originating in South Korea and in free circulation in the other Member States

(Only the French text is authentic)

(76/651/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 29 May 1976 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 certain setts, flags and paving, hearth and wall tiles, falling within subheadings 69.07 ex A and B ex II and 69.08 ex A and B ex II of the Common Customs Tariff, originating in South Korea and in free circulation in the Netherlands,

Whereas according to this application under Article 115 France is not opening any quota for imports of the products in question originating in South Korea for 1976;

Whereas differences in the commercial policy measures applied in connection with these products by France and by the other Member States as regards South Korea are giving rise to deflection of trade;

Whereas this deflection of trade is obstructing the execution of the above commercial policy measures currently being applied by France as regards South Korea;

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 execution of the above 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 French Republic is authorized not to apply Community treatment to imports of the following products:

CCT heading No	Description of goods
69.07	Unglazed setts, flags and paving, hearth and wall tiles:
ex A	— Stoneware tiles and cubes for mosaics, the largest side of which does not exceed 5 cm
B ex II	— Of stoneware, excluding those with a side dimension in excess of 40 cm
69.08	Glazed setts, flags and paving, hearth and wall tiles:
ex A	— Tiles and cubes for mosaics, other than of common pottery, the largest side of which does not exceed 5 cm
B ex II	— Other, in ceramic materials other than common pottery

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

where they originate in South Korea and are in free circulation in the other Member States and in respect of which applications for import licences were lodged after 20 May 1976.

Article 2

This Decision shall apply until new opportunities arise in the French Republic for the importation of the products in question from South Korea and in any case not later than 31 March 1977.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 9 June 1976.

For the Commission

Christopher SOAMES

Member of the Commission