COMMISSION DECISION

of 9 August 1976

authorizing the Italian Republic not to apply Community treatment to pyrotechnic articles, falling within heading No ex 36.05 of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in the Federal Republic of Germany

(Only the Italian text is authentic)

(76/719/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 3 August 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 pyrotechnic articles, falling within heading No ex 36.05 of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in the Federal Republic of Germany,

Whereas according to this application under Article 115 there are at present no opportunities for the direct importation into Italy of the products in question from the People's Republic of China;

Whereas differences in the commercial policy measures applied in connection with these products by Italy and by the other Member States as regards the People's Republic of China 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 Italy as regards the People's Republic of China;

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 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 pyrotechnic articles, falling within heading No ex 36.05 of the Common Customs Tariff, where they originate in the People's Republic of China and are in free circulation in the Federal Republic of Germany, and in respect of which applications for import licences were lodged on 29 July 1976.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 9 August 1976.

For the Commission

Christopher SOAMES

Vice-President

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