II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 December 1976

authorizing the Kingdom of Belgium and the Grand Duchy of Luxembourg not to apply Community treatment to tomatoes and table grapes falling within subheading 07.01 M I or 08.04 A I of the Common Customs Tariff, originating in Spain and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(77/191/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 22 December 1976 by the Governments of the BLEU countries to the Commission by telex from the Office of the Permanent Representative of Belgium to the European Communities, for authorization not to apply Community treatment to tomatoes and table grapes falling within subheading 07.01 M I or 08.04 A I of the Common Customs Tariff, originating in Spain and in free circulation in the other Member States,

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

Whereas this deflection of trade is preventing the execution of the measures of commercial policy adopted by the BLEU countries as regards the countries in question ;

Whereas it is not possible at the present time to set in motion machinery for bringing about the necessary cooperation from 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 specified in the Commission Decision of 12 May 1971 [1], and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION :

Article 1

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

CCT heading No	Description	Origin
07.01 M I	Tomatoes	Spain (including the Canary Islands)
08.04 A I	Table grapes	Spain

in free circulation in the other Member States and in respect of which applications for import licences were lodged after 12 December 1976.

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

Article 2

This Decision shall apply until 31 December 1976.

Article 3

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

Done at Brussels, 23 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission