II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 March 1977

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 Japan and in free circulation in the other Member States

(Only the French text is authentic)

(77/371/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 10 March 1977 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 Japan and in free circulation in the other Member States,

Whereas according to this application under Article 115 the importation into France of the products in question originating in Japan is subject to a contractual quota, which for 1977 amounts to $ 180 320;

Whereas differences in the commercial policy measures applied in connection with these products by France and by the other Member States as regards Japan 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 Japan, especially because of the critical situation that dominates this sector of industry;

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 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;

Whereas uniform arrangements for imports of the products in question could be adopted under a common commercial policy *vis-à-vis* Japan; whereas these measures should apply only until such arrangements are introduced,

HAS ADOPTED THIS DECISION:

Article 1

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

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

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 longest side of which does not exceed 5 cm
B ex II	— Stoneware, other than with sides exceeding 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, of which the longest side does not exceed 5 cm
B ex II	— Other, of ceramic materials other than common pottery

where they originate in Japan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 27 February 1977.

Article 2

This Decision shall apply only until uniform import arrangements are introduced under a common commercial policy *vis-à-vis* Japan or until new opportunities arise in the French Republic for the importation of the products in question from Japan and in any case not later than 31 December 1977.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 16 March 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President