COMMISSION DECISION

of 6 April 1977

authorizing the Italian Republic not to apply Community treatment to sewing machines, sewing machine heads and parts of sewing machines falling within subheading 84.41 A ex I, ex II or ex III of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States

(Only the Italian text is authentic)

(77/479/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 24 March 1977 by the Italian 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 sewing machines, sewing machine heads and parts of sewing machines falling within subheading 84.41 A ex I, ex II or ex III 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 Italy of the products in question originating in Japan is subject to a quota of $ 100 000 for 1977, which has already been wholly taken up;

Whereas differences in the commercial policy measures applied in connection with these products by Italy 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 commercial policy measures adopted by Italy as regards Japan, in particular for the protection of the domestic industry concerned;

Whereas, according to information supplied by the Italian Government, the industry concerned is faced by a serious crisis, resulting in the closure of a large number of factories and resort to the 'Cassa d'integrazione' system for several other factories;

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 may be adopted under a common commercial policy towards Japan and whereas these protective measures should apply only until such arrangements are applied,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized not to apply Community treatment to sewing machines, sewing machine heads and parts of sewing machines falling within subheading 84.41 A ex I, ex II or ex III of the Common Customs Tariff, 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 14 March 1977.

Article 2

This Decision shall expire when uniform import arrangements are applied under a common commercial policy towards Japan, or when new opportunities arise in Italy for the importation of the products in question from Japan or on 30 September 1977, whichever is the earliest.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 6 April 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

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