COMMISSION DECISION

of 5 May 1977

authorizing the French Republic not to apply Community treatment to shirts other than of silk, noil or other waste silk, flax or ramie falling within heading No ex 61.03 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States

(Only the French text is authentic)

(77/480/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 2 May 1977 by the French Government to the Commission by telex from the office of its Permanent Representative to the European Communities, for authorization to apply protective measures in respect of the importation of shirts other than of silk, noil or other waste silk, flax or ramie falling within heading No ex 61.03 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Hong Kong is the subject of an Agreement negotiated between the Community and Hong Kong and concluded on 8 April 1976;

Whereas, under the Agreement, Hong Kong has undertaken to take all necessary steps to limit its exports of certain textile products, including the products in question, to the Community to certain ceilings allocated among the Member States;

Whereas the allocation of these ceilings still involves certain disparities in the quota shares fixed for the various Member States by reference to the supply requirements of the markets concerned;

Whereas these disparities are likely to cause a flow of indirect trade which could aggravate the situation of the clothing industry;

Whereas, according to information supplied by the French Government, there are serious economic difficulties in the clothing sector, resulting in a progressive decline of production and a reduction of the number of workers employed in that sector;

Whereas indirect imports of the products in question, which would be in addition to those already effected, would be likely to aggravate these economic difficulties;

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 accordingly 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 shirts other than of silk, noil or other waste silk, flax or ramie falling within heading No ex 61.03 of the Common Customs Tariff, where they originate in Hong Kong and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 19 April 1977.

Article 2

This Decision shall apply until new opportunities arise in France for the importation of the products in question from Hong Kong and in any case not later than 31 December 1977.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 5 May 1977.

For the Commission

Antonio GIOLITTI

Member of the Commission

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