COMMISSION DECISION

of 3 November 1976

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to women's, girls' and infants' coats, jackets, dresses and skirts, falling within heading No ex 61.02 of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States

(Only the French and Dutch tests are authentic)

(77/72/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 28 October 1976 by the Governments of the Benelux countries to the Commission by telex from the Office of the Permanent Representative of the Kingdom of the Netherlands to the European Communities, for authorization not to apply Community treatment to women's, girls' and infants' coats, jackets, dresses and skirts, falling within heading No ex 61.02 of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States,

Whereas for the products in question, the Benelux countries, in accordance with the Council Decision of 10 July 1975 [1], have opened in respect of Taiwan an annual quota of 34 tonnes which has been almost wholly taken up;

Whereas, according to information supplied by the Governments of the Benelux countries, there are serious economic difficulties in the ready-made clothing sector, resulting in a decline of production and a constant reduction of the number of workers in that sector;

Whereas these economic difficulties are caused largely by unequal conditions of competition with certain countries (including Taiwan), whereby such countries are enabled to export at prices lower than those of producers in the Benelux countries;

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 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 [2], and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to imports of women's, girls' and infants' coats, jackets, dresses and skirts, falling within heading No ex 61.02 of the Common Customs Tariff, where they originate in Taiwan and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 17 October 1976.

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of the products in question from Taiwan and in any case not later than 31 December 1976.

Article 3

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

Done at Brussels, 3 November 1976.

For the Commission

Finn GUNDELACH

Member of the Commission

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[1] OJ No L 182, 12. 7. 1975, p. 2.

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