COMMISSION DECISION

of 31 October 1977

authorizing the French Republic not to apply Community treatment to knives with cutting blades, serrated or not, including pruning knives (save for knives with handles of ivory or of gilt- or silver-plated base metals), falling within heading No ex 82.09 of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States

(Only the French text is authentic)

(77/736/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 26 October 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 knives with cutting blades, serrated or not, including pruning knives (save for knives with handles of ivory or of gilt- or silver-plated base metals), falling within heading No ex 82.09 of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States,

Whereas according to this application the importation into France of the products in question originating in Japan is subject to a contractual quota of $ 117 000, which has already been used up ;

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 preventing the execution of the abovementioned measures of commercial policy currently being applied by France as regards Japan ;

Whereas according to information supplied by the French authorities it appears that the cutlery industry is faced with serious economic difficulties, as a result of the massive increase in low price imports from third 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 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 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 knives with cutting blades, serrated or not, including pruning knives (save for knives with handles of ivory or of gilt- or silver-plated base metals), falling within heading No ex 82.09 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 20 October 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 importa-

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

tion 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, 31 October 1977.

For the Commission

Antonio GIOLITTI

Member of the Commission