COMMISSION DECISION

of 2 August 1977

authorizing the French Republic not to apply Community treatment to compound optical microscopes falling within heading No ex 90.12 of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States

(Only the French text is authentic)

(77/767/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 29 July 1977 by the French Government to the European Communities, for authorization not to apply Community treatment to compound optical microscopes falling within heading No ex 90.12 of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States,

Whereas, according to the above application, the importation into France of the products in question originating in Japan is subject to a contractual quota, which amounts to $ 635 000 for 1977 and which is currently being allocated among the importers;

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 in order to protect the industry in question, which is currently being reorganized;

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 specified in 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 common commercial policy towards Japan; whereas these measures should apply only until such arrangements are applied;

Whereas the request for a licence which gave rise to the application under Article 115 should not be covered by the protective measures referred to above in view of the small amount involved,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to compound optical microscopes falling within heading No ex 90.12 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 are lodged after the date of this Decision.

Article 2

This Decision shall expire when uniform import arrangements are applied under common commercial policy towards Japan, or on 31 December 1977, whichever is the earlier.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 2 August 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

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