COMMISSION DECISION

of 16 January 1978

authorizing the French Republic not to apply Community treatment to toys of wood and other (except motors and movement mechanisms for toys and working models used for recreational purposes, and parts thereof) falling within subheadings 97.03 A and ex B of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States

(Only the French text is authentic)

(78/161/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 10 January 1978 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 toys of wood and other (except motors and movement mechanisms for toys and working models used for recreational purposes, and parts thereof) falling within subheadings 97.03 A and ex B of the Common Customs Tariff, originating in Japan and in free circulation in the other Member States,

Whereas since the application of Article 115, the importation into France of the product in question originating in Japan is subject to an annual quota ;

Whereas differences in the measures of commercial policy taken 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 taken by France as regards Japan, in particular to protect the industry concerned where reconstruction is currently in progress ;

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 a uniform system of imports could be adopted for the products in question as part of a common commercial policy as regards Japan ;

Whereas the period of validity of the protective measures should expire upon the introduction of such a system,

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is authorized not to apply Community treatment to imports of toys of wood and other (except motors and movement mechanisms for toys and working models used for recreational purposes, and parts thereof) falling within subheadings 97.03 A and ex B 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 lodged after 1 January 1978 are, on the date of this Decision, pending with the French authorities.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 16 January 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

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