COMMISSION DECISION

of 16 January 1978

authorizing the French Republic not to apply Community treatment to raincoats for men and women, falling within heading Nos ex 61.01 and ex 61.02 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States

(Only the French text is authentic)

(78/162/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 5 January 1978 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 raincoats for men and women, falling within heading Nos ex 61.01 and ex 61.02 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;

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 there are serious economic difficulties in the sector producing raincoats, resulting in a progressive decline of production and serious unemployment;

Whereas the indirect imports of the products in question would be likely to implicate the aims pursued by the abovementioned Agreement;

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 raincoats for men and women, falling within heading Nos ex 61.01 and ex 61.02 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 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.