COMMISSION DECISION

of 18 January 1978

authorizing the French Republic not to apply Community treatment to table ware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china (including biscuit porcelain and parian) or of other kinds of pottery other than common pottery or stoneware, falling within heading No 69.11 and subheadings 69.12 C and D of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in the other Member States

(Only the French text is authentic)

(78/187/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 11 January 1978 by the French Government to the European Communities, for authorization not to apply Community treatment to tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china (including biscuit porcelain and parian) or of other kinds of pottery or stoneware, falling within heading No 69.11 and subheadings 69.12 C and D of the Common Tariff, originating in the People's Republic of China and in free circulation in the other Member States,

Whereas for the products in question, France, while awaiting the opening of the quota fixed by the Council Decision of 20 December 1977, does not allow any imports directly from the People's Republic of China ;

Whereas, according to information supplied by the French Government, the domestic industry manufacturing the products in question is facing serious economic difficulties resulting in a drop in production and consequently the closure of certain firms ;

Whereas the realization of the imports that motivated the application is likely to obstruct the commercial policy measures currently being applied by France because of difficulties in the industrial sector concerned ;

Whereas it is not possible to set in motion rapidly 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 [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 tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china (including biscuit porcelain and parian), falling within heading No 69.11 of the Common Customs Tariff and of tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery :

— earthenware or fine pottery,

— other,

falling within subheadings 69.12 C and D of the Common Customs Tariff, where they originate in the People's Republic of China 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, 18 January 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

(1) OJ No L 121, 3. 6. 1971, p. 26.