II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 January 1978

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to men's woven shirts of mixed synthetic textile fibres, falling within heading No ex 61.03 of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(78/207/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 Governments of the Benelux countries to the Commission by telex from the office of the Permanent Representative of the Kingdom of the Netherlands to the European Communities, for authorization not to apply Community treatment to men's woven shirts of mixed synthetic textile fibres, falling within heading No ex 61.03 of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States,

Whereas imports into the Community of the products in question originating in Taiwan are subject to a Community quantitative quota, allocated among the Member States, established by Commission Regulation (EEC) No 3020/77 of 30 December 1977 on the arrangements for imports of certain textile products originating in Taiwan ;

Whereas, since it was not possible when the Community quota was opened to achieve full alignment of the import arrangements previously applied in the Member States, the above Regulation provides, as a temporary measure, for a derogation from the principle of equal and continuous access for all importers to Community quotas by stipulating that the quota in question need be adjusted only progressively to the supply requirements of the markets ;

Whereas for this reason the allocation of the quota in question still involves certain disparities in the quota shares fixed for the various Member States in relation to the supply requirements of the markets concerned ;

Whereas, according to information supplied by the Governments of the Benelux countries, there are serious economic difficulties in the sector in question, resulting in a progressive decline of production and a constant reduction of the number of workers employed ;

Whereas these economic difficulties are caused largely by unequal conditions of competition with certain countries (including Taiwan), whereby such countries are enabled to export at prices lower than those of producers in the Benelux 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 accordingly 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,

HAS ADOPTED THIS DECISION :

Article 1

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to men's woven shirts of mixed synthetic textile fibres, falling within heading No ex 61.03 of the Common Customs Tariff where they originate in Taiwan 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 Benelux authorities.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 16 January 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

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