COMMISSION DECISION

of 31 January 1978

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to cartridges for smooth-base sporting guns, falling within heading No ex 93.07 of the Common Customs Tariff, originating in Czechoslovakia and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(78/213/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 25 January 1978 by the Governments of the Benelux countries to the Commission of the European Communities 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 cartridges for smooth-base sporting guns, falling within heading No ex 93.07 of the Common Customs Tariff, originating in Czechoslovakia and in free circulation in the other Member States,

Whereas for the products in question the Benelux countries, in accordance with the Council Decision of 20 December 1977, have opened in respect of Czechoslovakia an annual quota of 94 500 items ;

Whereas, according to information supplied by the Governments of the Benelux countries, there are serious economic difficulties in the sector in question, caused largely by unequal conditions of competition with certain countries (including Czechoslovakia), whereby such countries are enabled to export at prices lower than those of producers in the Benelux countries ;

Whereas indirect imports of the products in question, which would be in addition to those already effected, would be likely to aggravate these economic difficulties ;

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 Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are authorized not to apply Community treatment to cartridges for smooth-base sporting guns, falling within heading No ex 93.07 of the Common Customs Tariff where they originate in Czechoslovakia and are in free circulation in the other Member States and in respect of which applications for import licences were lodged after 12 January 1978.

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of the products in question from Czechoslovakia or until 31 December 1978, whichever is the earlier.

Article 3

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

Done at Brussels, 31 January 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

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