COMMISSION DECISION

of 8 February 1978

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to women's outer garments, falling within heading No ex 61.02 of the Common Customs Tariff, originating in Poland and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(78/221/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 1 February 1978 by the Governments of the Benelux countries by telex from the office of the Permanent Representative of the Kingdom of Belgium to the European Communities, for authorization not to apply Community treatment to women's outer garments, falling within heading No ex 61.02 of the Common Customs Tariff, originating in Poland and in free circulation in the other Member States,

Whereas the Benelux countries, in accordance with the Council Decision of 20 December 1977 (1), have opened provisionally, while awaiting the coming into force of a definitive regime, a quota which has already been used up;

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

Whereas further indirect imports of the products in question, because of their prices, would be likely to aggravate those economic difficulties;

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 in the Commission Decision of 12 May 1971 (2) and in particular Article 1 thereof;

Whereas the application for a licence which gave rise to the application under Article 115 should not be covered by this authorization in view of the small amount involved,

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 women's outer garments, falling within heading No ex 61.02 of the Common Customs Tariff, where they originate in Poland and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after the date of this Decision.

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of the products in question from Poland and in any case not later than 30 June 1978.

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, 8 February 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

(1) OJ No L 360, 31. 12. 1977.
(2) OJ No L 121, 3. 6. 1971, p. 26.