II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 February 1978

authorizing the French Republic not to apply Community treatment to garments falling within heading No 61.01, 61.02 or 61.03 of the Common Customs Tariff, originating in Hungary and in free circulation in the other Member States

(Only the French text is authentic)

(78/321/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 9 February 1978 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to garments falling within heading No 61.01, 61.02 or 61.03 of the Common Customs Tariff, originating in Hungary and in free circulation in the other Member States,

Whereas in France the importation of the products in question originating in Hungary is, while waiting for the opening of the quota fixed by the Council Decision of 20 December 1977, prohibited ;

Whereas disparities in the commercial policy measures applied in connection with these products by the Member States are giving rise to deflection of trade, thus preventing the execution of those commercial policy measures ;

Whereas according to the application submitted there are serious difficulties in the industrial sector concerned, involving a considerable drop in production and employment and a progressive decline in its market share ;

Whereas further indirect imports, in addition to those already effected, would be likely to aggravate these 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 French Republic is authorized not to apply Community treatment to the products indicated below, where they originate in Hungary and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 29 January 1978 :

CCT heading No	Description
61.01, 61.02 or 61.03	Garments

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

Article 2

This Decision shall apply until new opportunities arise for the importation of these products from Hungary.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 14 February 1978.

For the Commission

Antonio GIOLITTI

Member of the Commission