COMMISSION DECISION

of 9 March 1978

authorizing the French Republic not to apply Community treatment to men's and boys' woven overcoats, raincoats, cloaks and capes excepting coats of impregnated, coated, covered or laminated woven fabric falling within heading No 59.08, 59.11 or 59.12, falling within heading No ex 61.01 of the Common Customs Tariff, originating in South Korea and in free circulation in the other Member States

(Only the French text is authentic)

(78/378/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 3 March 1978 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to men's and boys' woven overcoats, raincoats, cloaks and capes excepting coats of impregnated, coated, covered or laminated woven fabric falling within heading No 59.08, 59.11 or 59.12, falling within heading No ex 61.01 of the Common Customs Tariff, originating in South Korea and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in South Korea is covered by an Agreement negotiated between the Community and that country ;

Whereas under that Agreement South Korea has undertaken to take all necessary steps to limit its exports of the products in question to the Community to certain ceilings allocated among the Member States ;

Whereas it was not possible on that occasion to allocate these ceilings on the basis of the needs of the individual markets ; whereas for that reason disparities persist between the import conditions in the various Member States ; whereas uniformity can be achieved only progressively ;

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 although the imports which gave rise to the application submitted would appear to be an isolated operation, they are nevertheless likely, owing to the appreciable amount of the imports, to risk the aims of the abovementioned Agreement ;

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 South Korea and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 20 February 1978 and are, on the date of this Decision, pending with the French authorities :

CCT heading No	Description
ex 61.01	Men's and boys' woven overcoats, raincoats, cloaks and capes excepting coats of impregnated, coated, covered or laminated woven fabric falling within heading No 59.08, 59.11 or 59.12

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 9 March 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission

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