COMMISSION DECISION

of 10 April 1978

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to unworked drawn or blown glass (including flashed glass), falling within heading No ex 70.05 of the Common Customs Tariff, originating in the USSR and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(78/395/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 6 April 1978 by the Benelux Governments to the Commission of the European Communities, for authorization not to apply Community treatment to unworked drawn or blown glass (including flashed glass), falling within heading No ex 70.05 of the Common Customs Tariff, originating in the USSR and in free circulation in the other Member States,

Whereas in the Benelux countries the importation of the products in question originating in the USSR is in accordance with the Council Decision of 20 December 1977 [1];

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, which are in force because of the difficult economic situation in the sector concerned;

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

Whereas these economic difficulties are caused largely by unequal conditions of competition, whereby exports can be effected at prices appreciably lower than those of the Community products in question;

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 [2] and in particular Article 1 thereof;

Whereas, however, the request for a licence which gave rise to the application in question does not need to be covered by such an 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 the products indicated below, where they originate in the USSR and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 5 April 1978:

CCT heading No	Description
ex 70.05	Unworked drawn or blown glass (including flashed glass)

Article 2

Thsis Decision shall apply until new opportunities arise for the importation of these products from the USSR or until 31 December 1978, whichever is the earlier.

[1] OJ No L 357, 31. 12. 1977.

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

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, 10 April 1978.

For the Commission

Christopher TUGENDHAT

Member of the Commission