COMMISSION DECISION

of 28 October 1977

authorizing the French Republic not to apply Community treatment to sound recorders or receivers falling within subheading 85.15 A III of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States

(Only the French text is authentic)

(78/7/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragaph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 24 October 1977 by the French Government to the Commission by telex from the Office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to radio receivers, whether or not combined with a sound recorder or reproducer, falling within subheading 85.15 A III of the Common Customs Tariff and in free circulation in the other Member States,

Whereas according to this application the importation into France of the products in question originating in Hong Kong is subject to an annual quota of 120 000 items, all of which has been allocated among importers who have lodged applications ;

Whereas differences in the commercial policy measures applied in connection with these products by France and by the other Member States as regards Hong Kong are giving rise to deflection of trade ;

Whereas this deflection of trade is preventing the execution of the above commercial policy measures currently being applied by France as regards Hong Kong ;

Whereas the French industry in question is undergoing a serious crisis particularly as a result of the fact that its share of the market is progressively diminishing ;

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 be given, for a limited period, 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 ;

Whereas, however, the applications for licences which gave rise to the application under Article115 should not be covered by this authorization in view of the small amounts involved,

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is authorized not to apply Community treament to imports of receivers, whether or not combined with a sound recorder or reproducer, falling within subheading 85.15 A III of the Common Customs Tariff, where they originate in Hong Kong 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 the present Decision.

Article 2

This Decision shall apply until new opportunities arise in the French Republic for the importation of the products in question from Hong Kong and in any case not later than 31 December 1977.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 28 October 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President

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