COMMISSION DECISION

of 16 August 1978

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to track suits of knitted or crocheted fabric, not elastic or rubberized, of wool, of cotton or of man-made textile fibres, falling within subheading ex 60.05 A II (NIMEXE codes 60.05-16, 17, 19) of the Common Customs Tariff, originating in Czechoslovakia and in free circulation in the other Member States

(Only the French and Dutch texts are authentic)

(78/736/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 7 August 1978 by the Benelux Governments to the Commission of the European Communities, for authorization not to apply Community treatment to track suits of knitted or crocheted fabric, not elastic or rubberized of wool, of cotton or of man-made textile fibres, falling within subheading ex 60.05 A II (NIMEXE codes 60.05-16, 17, 19) of the Common Customs Tariff, originating in Czechoslovakia and in free circulation in the other Member States,

Whereas in Benelux the importation of the products in question originating in Czechoslovakia is, in accordance with the Council Decision of 20 December 1977 [1], subject to quantitative restriction ;

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 and a progressive decline in its market share ;

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 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, would be likely to jeopardize the efficiency of the abovementioned commercial measures ;

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,

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 Czechoslovakia and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 27 July 1978 and are, on the date of this Decision, pending with the Benelux authorities :

CCT heading No	Description
ex 60.05 A II (NIMEXE codes 60.05-16, 17, 19)	Track suits of knitted or crocheted fabric, not elastic or rubberized, of wool, of cotton or of man-made textile fibres

[1] OJ No L 360, 31. 12. 1977, p. 1.

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

Article 2

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 16 August 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission