COMMISSION DECISION

of 4 September 1978

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to men's, boys', women's, girls' and infants' woven breeches, shorts and trousers (including slacks) of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.01 and subheading ex 61.02 B (NIMEXE codes 61.01-62, 64, 66, 72, 74, 76 ; 61.02-66, 68, 72) of the Common Customs Tariff, originating in Macao and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(78/760/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 25 August 1978 by the Governments of the Benelux countries to the Commission of the European Communities, for authorization not to apply Community treatment to men's, boys', women's, girls' and infants' woven breeches, shorts and trousers (including slacks) of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.01 and subheading ex 61.02 B (NIMEXE codes 61.01-62, 64, 66, 72, 74, 76 ; 61.02-66, 68, 72) of the Common Customs Tariff, originating in Macao and in free circulation in the other Member States,

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

Whereas under that Agreement Macao has undertaken to take all necessary steps to limit its exports of the products in question to the Community up to the amount of 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 there are therefore disparities existing between the import conditions in the various Member States ; whereas uniformity can only be achieved progressively ;

Whereas the disparities which exist in the commercial policy measures applied in connection with these products by the Member States are causing deflection of trade, thereby preventing the execution of those commercial policy measures which are in force because of the difficult economic situation in the sector concerned ;

Whereas it appears from the application submitted that there are serious difficulties in the industrial sector concerned ;

Whereas further indirect imports, in addition to those already made, 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 laid down in Commission Decision 71/202/EEC of 12 May 1971 [1], 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 Macao and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 16 August 1978 :

CCT heading No	Description
ex 61.01 and ex 61.02 B NIMEXE codes 61.01-02, 64, 66, 72, 74, 76 ; 61.02-66, 68, 72)	Men's, boys', women's, girls' and infants' woven breeches, shorts and trousers (including slacks) of wool, of cotton or of man-made textile fibres

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

Article 2

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of these products from Macao or until 31 December 1978, whichever is the earlier.

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, 4 September 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission