COMMISSION DECISION

of 4 April 1979

authorizing the French Republic not to apply Community treatment to men's and boys' woven undergarments other than shirts, of wool, cotton or man-made textile fibres, falling within heading No ex 61.03 of the Common Customs Tariff (NIMEXE codes 61.03-51, 55, 59, 81, 85, 89) (category 18), originating in the People's Republic of China and in free circulation in the other Member States

(Only the French text is authentic)

(79/408/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 28 March 1979 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to men's and boys' woven undergarments other than shirts, of wool, cotton or man-made textile fibres, falling within heading No ex 61.03 of the Common Customs Tariff (NIMEXE codes 61.03-51, 55, 59, 81, 85, 89) (category 18), originating in the People's Republic of China and in free circulation in the other Member States,

Whereas in France the importation of the products in question originating in the People's Republic of China is, in accordance with Council Decision 79/252/EEC of 21 December 1978 [1], subject to an annual quota ;

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, involving a considerable drop in production and employment ;

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 [2], 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 the People's Republic of China and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 15 March 1979 and are, at the date of this Decision, pending with the French authorities :

CCT heading No	Description
ex 61.03 (NIMEXE codes 61.03-51, 55, 59, 81, 85, 89) (category 18)	Men's and boys' woven undergarments other than shirts, of wool, cotton or man-made textile fibres

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 4 April 1979.

For the Commission

Wilhelm HAFERKAMP

Vice-President

(1) OJ No L 60, 12. 3. 1979, p. 1.

(2) OJ No L 121, 3. 6. 1971, p. 26.