COMMISSION DECISION

of 16 May 1979

authorizing the Federal Republic of Germany not to apply Community treatment to special gloves for sport, of leather, falling within heading No ex 42.03 of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in the other Member States

(Only the German text is authentic)

(79/562/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 10 May 1979 by the Government of the Federal Republic of Germany to the Commission of the European Communities, for authorization not to apply Community treatment to special gloves for sport, of leather, falling within heading No ex 42.03 of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in the other Member States,

Whereas in the Federal Republic of Germany 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 which has already been taken up ;

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 and a progressive decline in its market share ;

Whereas although the imports which gave rise to the application submitted would appear to be an isolated operation, they are nevertheless likely, in view of the substantial volume of the imports, to aggravate these difficulties and to jeopardize the efficiency of the commercial measures concerned ;

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 Federal Republic of Germany 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 26 April 1979 and are, at the date of this Decision, pending with the German authorities :

CCT heading No	Description
ex 42.03	Special gloves for sport, of leather

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 16 May 1979.

For the Commission

Étienne DAVIGNON

Member of the Commission

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

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