COMMISSION DECISION

of 15 December 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 and boys' woven breeches, shorts and trousers (including slacks) ; women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.01 or subheading ex 61.02 B of the Common Customs Tariff (NIMEXE codes 61.01-62, 64, 66, 72, 74, 76 ; 61.02-66, 68, 72), originating in Albania and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(79/60/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 5 December 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 and boys' woven breeches, shorts and trousers (including slacks) ; women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres, falling within heading No ex 61.01 or subheading ex 61.02 B of the Common Customs Tariff (NIMEXE codes 61.01-62, 64, 66, 72, 74, 76 ; 61.02-66, 68, 72), originating in Albania and in free circulation in the other Member States ;

Whereas in the Benelux countries the importation of the products in question originating in Albania is, in accordance with Council Decision 78/545/EEC of 12 June 1978 [1] subject to a quantitative restriction ;

Whereas it was not possible on that occasion to allocate these quotas 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 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 these economic difficulties are caused largely by unequal conditions of competition, which allow exports to be made 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, in view of the substantial volume of the imports, 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 Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are hereby authorized not to apply Community treatment to the products indicated below, where they originate in Albania and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 27 November 1978 and are, at the date of this Decision, pending with the Benelux authorities :

CCT heading No	Description
ex 61.01 or ex 61.02 B (NIMEXE codes 61.01-62, 64, 66, 72 74, 76 ; 61.02-66, 68, 72)	Men's and boys' woven breeches, shorts and trousers (including slacks) ; women's girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres

(1) OJ No L 168, 26. 6. 1978, 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, 15 December 1978.

For the Commission

Étienne DAVIGNON

Member of the Commission