COMMISSION DECISION

of 31 July 1979

authorizing the French Republic not to apply Community treatment to tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china, of earthenware, or other kinds of pottery, falling within heading No 69.11 and subheadings 69.12 C and D of the Common Customs Tariff, originating in the People's Republic of China and in free circulation in the other Member States

(Only the French text is authentic)

(79/729/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 24 July 1979 by the French Government to the Commission of the European Communities, for authorization not to apply Community treatment to tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china, of earthenware, or other kinds of pottery, falling within heading No 69.11 and subheadings 69.12 C and D of the Common Customs Tariff, 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 a quantitative restriction;

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;

Whereas further indirect imports, in addition to those already made or proposed, would be likely 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;

Whereas, however, the application for a licence which gave rise to the application in question does not need to be covered by such an authorization in view of the small amount involved,

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 20 July 1979:

CCT heading No	Description
69.11 and 69.12 C and D	Tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china, of earthenware, or other kinds of pottery

Article 2

This Decision shall apply until new opportunities arise in France for the importation of these products from the People's Republic of China or until 31 December 1979, whichever is the earlier.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 31 July 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.