COMMISSION

COMMISSION DECISION

of 3 November 1980

derogating from High Authority recommendation No 1-64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community (105th derogation)

(80/1078/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to High Authority recommendation No 1-64 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community [1], as amended by recommendation No 1905/78/ECSC [2], and in particular Article 3 thereof,

Whereas the representatives of the Governments of the Member States meeting within the Council on 15 July 1980 have unanimously agreed on six-monthly derogations from the harmonized Community customs duties for steel to be taken for the second half-year 1980 ;

Whereas such measures are justified by the fact that the products in question are not manufactured, or are manufactured in insufficient quantities, in the Community and that their importation on preferential terms is not injurious to iron and steel undertakings in the Community which produce directly competing products ;

Whereas neither this suspension of duties nor these tariff quotas are likely to jeopardize the objectives of recommendation No 1-64, but help to maintain existing trade flows between Member States and third countries ;

Whereas these are special cases in the commercial policy field justifying the authorization of derogation pursuant to Article 3 of recommendation No 1-64 ;

Whereas provision should be made to ensure that the quotas granted will be used solely to supply the needs of industries in the importing countries and that re-exportation in the unaltered state to other Member States of imported iron and steel products will be prevented ;

Whereas the Governments of the Member States have been consulted on the tariff quotas set out below,

HAS ADOPTED THIS DECISION :

Article 1

The Member States are hereby authorized to derogate from the obligations arising under Article 1 of High Authority recommendation No 1-64 to the extent necessary to suspend, in respect of imports from third countries of the iron and steel products set out below, duties or tariff quotas in respect of the quantities and at the levels indicated :

(1) OJ No 8, 22. 1. 1964, p. 99/64.
(2) OJ No L 217, 8. 8. 1978, p. 5.

CCT heading No	Description	Member State	Quota (tonnes)	Duty %
ex 73.15 A V b) 1	Special wire rod (of high carbon steel, not further worked than hot-rolled, between 4·5 and 13 mm in diameter) for the manufacture of springs, of needles (known as 'needle wire'), and piano wire : — Containing by weight : — 0·60 to 1·05 % carbon — Not more than 0·05 % of sulphur and phosphorus taken together — 0·15 to 0·30 % silicon — Not more than 0·10 % of all other elements with the exception of manganese and chromium) taken together (Germany and Benelux are authorized to import — within their quotas — special wire rod of alloy steels, between 4·5 and 13 mm in diameter, for valve springs, with the following characteristics : (a) Chrome-vanadium products : 0·40 to 0·65 % C 0·15 to 0·30 % Si 0·60 to 0·90 % Mn 0·15 to 1·10 % Cr 0·15 to 0·30 % Va not more than 0·30 % Mo, P and S content of less than 0·035 % each (b) Chrome-silicon products : 0·50 to 0·60 % C 1·35 to 1·60 % Si 0·60 to 0·80 % Mn 0·55 to 0·80 Cr P and S content of less than 0·035 % each)	Germany Benelux France	1 500 1 350 1 400	0 0 0

Article 2

1. The Member States accorded quotas under Article 1 of this Decision shall ensure, in liaison with the Commission, that such quotas are apportioned among third countries on a non-discriminatory basis.

2. They shall take all necessary steps to preclude the possibility of iron and steel products imported under the said tariff quotas being re-exported to other Member States in the same state as that in which they were imported.

Article 3

This Decision is applicable from 1 July 1980 and shall remain in force until 31 December 1980.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 3 November 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President