COMMISSION DECISION

of 28 February 1980

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to cotton yarn, not put up for retail sale, falling within heading No 55.05 of the Common Customs Tariff (category 1), originating in the People's Republic of China and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(80/310/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 21 February 1980 by the Governments of the Benelux countries to the Commission of the European Communities, for authorization not to apply Community treatment to cotton yarn, not put up for retail sale, falling within heading No 55.05 of the Common Customs Tariff (category 1), originating in the People's Republic of China and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in the People's Republic of China is covered by an Agreement on trade in textile products negotiated between the Community and that country;

Whereas under that Agreement the People's Republic of China has undertaken to take all necessary steps to limit its exports of the products in question to the Community up to the amount of certain quantitative limits;

Whereas, with a view to implementing the Agreement and to take account of its particularities, the Council has, by Regulation (EEC) No 3061/79 of 20 December 1979 [2], established specific common rules for imports of certain textile products originating in China;

Whereas it was not possible on that occasion to allocate those limits 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 further indirect imports, in addition to those already made or proposed, 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;

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 Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are 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

(1) OJ No L 345, 31. 12. 1979, p. 1.

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

applications for import licences were lodged after 15 February 1980 :

CCT heading No	Description
55.05 (NIMEXE-codes 55.05-13, 19, 21, 25, 27, 29, 33, 35, 37, 41, 45, 46, 48, 52, 58, 61, 65, 67, 69, 72, 78, 92, 98) (category 1)	Cotton yarn, not put up for retail sale

Article 2

This Decision shall apply until 30 June 1980.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 28 February 1980.

For the Commission

Henk VREDELING

Vice-President