II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 5 March 1980

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to men's leather footwear, including boots, falling within heading No ex 64.02 of the Common Customs Tariff, originating in Romania and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(80/356/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 men's leather footwear, including boots, falling within heading No ex 64.02 of the Common Customs Tariff, originating in Romania and in free circulation in the other Member States,

Whereas, in the Benelux countries, the importation of the products in question originating in Romania is, in accordance with Council Decision 80/158/EEC of 20 December 1979 [1], subject to an annual quota, which has already been wholly 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 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 further indirect imports, in addition to those already made, 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,

(1) OJ No L 42, 18. 2. 1980, p. 1.

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

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 Romania and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after 17 February 1980 :

CCT heading No	Description
ex 64.02	Men's leather footwear, including boots

Article 2

This Decision shall apply until 30 September 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, 5 March 1980.

For the Commission

Antonio GIOLITTI

Member of the Commission