COMMISSION DECISION

of 8 May 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

(104th derogation)

(Only the English text is authentic)

(80/519/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 2 to 5, 8, 71 and 74 thereof,

Having regard to High Authority recommendation No 1-64 of 15 January 1964 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], and in particular Article 3 thereof,

Whereas the United Kingdom has shown that its national supplies of tin-plate are at present insufficient; whereas users have been unable to obtain the necessary tonnage on the Community market;

Whereas the Government of the United Kingdom has accordingly requested the Commission to authorize, for the second quarter of 1980, duty free imports of the required amount of tin-plate from non-member countries; whereas it has, however, been considered necessary, in order to emphasize the exceptional nature of this measure, to retain duty at a level of 2 %;

Whereas this exceptional importation is justified for the reasons of commercial policy provided for in Article 3 of the said recommendation No 1-64; whereas the Commission may therefore grant a derogation from the said recommendation;

Whereas the Governments of the Member States have been consulted on the abovementioned request,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is hereby authorized to derogate from the obligations under Article 1 of recommendation No 1-64 to the extent necessary to import at a reduced rate of duty of 2 % from non-member countries 40 000 tonnes of tin-plate falling within subheadings 73.13 B IV b) 1 and ex 73.13 B IV d) of the Common Customs Tariff.

Article 2

1. The United Kingdom shall be under an obligation to ensure, in liaison with the Commission, that the quota is apportioned on a non-discriminatory basis among non-member countries.

2. The said Governement shall take all necessary steps to avoid the possibility of products imported under the tariff quota being re-exported to other Member States in the same state as that in which they were imported.

Article 3

This Decision shall be valid until 30 June 1980.

Article 4

This Decision is addressed to the United Kingdom.

Done at Brussels, 8 May 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President

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[1] OJ No 8, 22. 1. 1964, p. 99/64.