COMMISSION DECISION

of 24 July 1980

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to woven overcoats, raincoats and other coats, cloaks and capes, jackets and blazers, falling within subheading ex 61.02 B II of the Common Customs Tariff (category 15 B), originating in Romania and Yugoslavia and in free circulation in the other Member States

(Only the Dutch and French texts are authentic)

(80/890/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 18 July 1980 by the Governments of the Benelux countries to the Commission of the European Communities, for authorization not to apply Community treatment to woven overcoats, raincoats and other coats, cloaks and capes, jackets and blazers, falling within subheading ex 61.02 B II of the Common Customs Tariff (category 15 B), originating in Romania and Yugoslavia and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Romania and Yugoslavia is covered by an Agreement negotiated between the Community and that country;

Whereas under that Agreement Romania and Yugoslavia have undertaken to take all necessary steps to limit their exports of the products in question to the Community up to the amount of certain ceilings allocated among the Member States;

Whereas it was not possible on that occasion to allocate these ceilings 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 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 or proposed, would be likely to aggravate these difficulties and to call into question the objectives sought by 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 80/47/EEC of 20 December 1979 [1], and in particular Article 3 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 Romania and Yugoslavia and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after the date of the adoption of this Decision:

CCT heading No	Description
ex 61.02 B II (NIMEXE codes 61.02-31, 32, 33, 35, 36, 37, 39, 40) (category 15 B)	Women's, girls' and infants' woven overcoats, raincoats and other coats, cloaks and capes, jackets and blazers other than garments of category 15 A, of wool, of cotton or of man-made textile fibres

(1) OJ No L 16, 22. 1. 1980, p. 14.

Article 2

This Decision shall apply until 31 October 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, 24 July 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President