COMMISSION DECISION

of 6 October 1980

authorizing Ireland not to apply Community treatment to women's, girls' and infants' woven and knitted or crocheted dresses originating in India

(Only the English text is authentic)

(80/995/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 Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State [1], and in particular Article 3 thereof,

Whereas on 26 September 1980 a request was made under the first paragraph of Article 115 of the Treaty by Ireland to the Commission of the European Communities for authorization not to apply Community treatment to women's, girls' and infants' woven and knitted or crocheted dresses falling within subheadings ex 60.05 A II and ex 61.02 B II of the Common Customs Tariff (category 26), originating in India and in free circulation in the other Member States ;

Whereas the importation into the Community of the products in question originating in India is covered by an Agreement negotiated between the Community and that country ; whereas under that Agreement India has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings ;

Whereas in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78 [2], as last amended by Commission Regulation (EEC) No 3063/79 [3], introducing specific common rules for imports of certain textile products ;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community ceiling between the Member States ;

Whereas for this reason disparities still exist between the conditions governing the importation of the products in question into the different Member States ; whereas uniformity can only be brought about gradually ;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade in that since 1 January 1980 Ireland has admitted the products in question in free circulation, originating in the said country, which amounts to approximately 38·5 % of the direct import possibilities from this third country ;

Whereas the prices of the products in question originating in India are approximately 13 % below the prices of like products manufactured in Ireland ;

Whereas output of like products in Ireland has increased from 1 824 000 pieces in 1978 to 1 897 000 pieces in 1979 ; whereas the domestic industry's share of the home market has fallen from 30 % in 1978 to 28 % in 1979 ;

Whereas further indirect imports, in addition to those already admitted or planned, would be likely to aggravate these difficulties of the Irish textile industry and jeopardize the aims of the abovementioned commercial policy measures ;

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 Decision 80/47/EEC, and in particular Article 3 thereof,

HAS ADOPTED THIS DECISION :

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, originating in India and in free circulation in the other Member

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[1] OJ No L 16, 22. 1. 1980, p. 14.
[2] OJ No L 365, 27. 12. 1978, p. 1.
[3] OJ No L 347, 31. 12. 1979, p. 1.

States, in respect of which applications for import licences were lodged after the date of this Decision :

CCT heading No	Description
ex 60.05 A II and ex 61.02 B II (NIMEXE codes 60.05-41, 42, 43, 44; 61.02-48, 52, 53, 54) (category 26)	Women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until new opportunities arise in Ireland for the importation of the products in question originating in India or until 31 December 1980, whichever is the earlier.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 6 October 1980.

For the Commission

Wilhelm HAFERKAMP

Vice-President