COMMISSION DECISION

of 25 March 1981

authorizing the Italian Republic not to apply Community treatment to kraft wrapping and packaging paper originating in Czechoslovakia

(Only the Italian text is authentic)

(81/238/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 18 March 1981, a request was made under the first paragraph of Article 115 of the Treaty by the Italian Government to the Commission of the European Communities for authorization not to apply Community treatment to kraft wrapping and packaging paper falling within heading No ex 48.01 of the Common Customs Tariff, originating in Czechoslovakia, and in free circulation in the other Member States ;

Whereas, in Italy, the importation of the products in question originating in Czechoslovakia is, in accordance with Council Decision 80/1278/EEC of 22 December 1980, subject to an annual quota ;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member States ;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 Italy has admitted the products in question in free circulation, originating in the said third country, which amount approximately 20 % of the quota ;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries amounted to 37 100 tonnes in 1978, to 66 000 tonnes in 1979 and to 62 900 tonnes in 1980 ; whereas the market share taken by those imports was 49·9 % in 1978, 64·4 % in 1979 and 62·4 % in 1980 ;

Whereas the prices of the products in question originating in Czechoslovakia are approximately 54 to 58 % below the prices of like products manufactured in Italy ;

Whereas output of like products in Italy amounted to 45 400 tonnes in 1978, to 42 900 tonnes in 1979 and to 35 400 tonnes in 1980 ; whereas the domestic industry's share of the home market was 44·7 % in 1978, 28·6 % in 1979 and 27·8 % in 1980 ;

Whereas further indirect imports, in addition to those already admitted or planned, would be likely to aggravate these difficulties and jeopardize the aims of the abovmentioned 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 ;

Whereas an application for import documents covering 600 tonnes is duly pending with the authorities of the Member States having made the request ; this application does not need to be covered by such authorization,

HAS ADOPTED THIS DECISION :

Article 1

The Italian Republic is authorized not to apply Community treatment to the products indicated below, originating in Czechoslovakia and in free circulation in the other Member States in respect of which applications for import licences were lodged after 11 March 1981.

[1] OJ No L 16, 22. 1. 1980, p. 14.

CCT heading No	Description
ex 48.01	Kraft wrapping and packaging paper

Article 2

This Decision shall apply until 30 September 1981.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 25 March 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President