COMMISSION DECISION

of 2 April 1981

authorizing the French Republic not to apply Community treatment to handkerchiefs of woven fabrics originating in Czechoslovakia

(Only the French text is authentic)

(81/383/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 23 March 1981, a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to handkerchiefs of woven fabric, falling within heading No ex 61.05 of the Common Customs Tariff (categories 19 and 89), originating in Czechoslovakia and in free circulation in the other Member States ;

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

Whereas 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 1981 France has admitted the products in question in free circulation originating in the said third country in quantities which largely exceed 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 767 tonnes in 1978, 732 tonnes in 1979 and 880 tonnes in 1980 ;

Whereas the prices of the products in question originating in Czechoslovakia are considerably below the prices of like products manufactured in France ;

Whereas output of like products in France has fallen from 400 tonnes in 1978 to 364 tonnes in 1979 ; whereas the domestic industry's share of the home market has fallen from 26 % in 1978 to 23 % in 1979 ;

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 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 ;

Whereas an application for import documents covering 1·6 tonnes is duly pending with the authorities of the Member State having made the request ; whereas this application does not need to be covered by such an authorization,

HAS ADOPTED THIS DECISION :

Article 1

The French 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

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

applications for import licences were lodged after 20 March 1981 :

CCT heading No	Description
ex 61.05 (NIMEXE codes 61.05-20, 30, 99) (categories 19 and 89)	Handkerchiefs of woven fabric

Article 2

This Decision shall apply until 31 October 1981.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 2 April 1981.

For the Commission

Étienne DAVIGNON

Vice-President