COMMISSION DECISION

of 19 January 1981

authorizing Ireland not to apply Community treatment to men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks originating in Hong Kong

(Only the English text is authentic)

(81/41/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 8 January 1981, a request was made under the first paragraph of Article 115 of the Treaty by the Irish Government to the Commission of the European Communities for authorization not to apply Community treatment to men's and boys' woven breeches, shorts and trousers (including slacks), women's, girls' and infants' woven trousers and slacks, falling within subheadings ex 61.01 B V and ex 61.02 B II of the Common Customs Tariff (category 6), originating in Hong Kong and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question, originating in Hong Kong, is covered by an Agreement negotiated between the Community and that country; whereas, under that Agreement, Hong Kong 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 introducing specific common rules for imports of certain textile products [2];

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 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 have increased from 438 000 pieces in 1978 to 945 000 pieces in 1979;

Whereas the prices of the products in question originating in Hong Kong are approximately 50 % below the prices of like products manufactured in Ireland;

Whereas output of like products in Ireland amounted to 3 287 000 pieces for 1978 and 3 323 000 pieces for 1979;

Whereas applications for import documents covering approximately 50 % of the direct quota are duly pending with the authorities of the Member State having made the request;

Whereas further indirect imports would be likely to aggravate these difficulties in the industrial sector concerned 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 Hong Kong and in free circulation in the other Member States in respect of which applications for import licences were lodged after 1 January 1981, This authorization shall not cover products to a total volume corresponding to 25 % of the quota with

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

regard to Hong Kong. This quantity shall be distributed among the applicants for import documents whose applications are duly pending at the date of this Decisionm

CCT heading No	Description
ex 61.01 B V and ex 61.02 B II (NIMEXE codes 61.01-62 ; 64 ; 66 ; 72 ; 74 ; 76 ; 61.02-66 ; 68 ; 72) (category 6)	Men's and boys' woven breeches, shorts and trousers (including slacks) ; women's, girls' and infants' woven trousers and slacks of wool, cotton or of man-made textile fibres

Article 2

This Decision shall apply until 31 May 1981.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 19 January 1981.

For the Commission

Wilhelm HAFERKAMP

Member of the Commission