COMMISSION DECISION

of 13 April 1981

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to woven and knitted or crocheted dresses originating in Czechoslovakia

(Only the Dutch and French texts are authentic)

(81/423/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 3 April 1981 a request was made under the first paragraph of Article 115 of the Treaty by the governments of the Benelux countries to the Commission of the European Communities for authorization not to apply Community treatment to woven and knitted or crocheted dresses falling within subheadings 60.05 A II and 61.02 B II of the Common Customs Tariff, category 26, originating in Czechoslovakia and in free circulation in the other Member States ;

Whereas, in the Benelux countries, the importation of the products in question originating in Czechoslovakia is subject, in accordance with Council Decision 80/1278/EEC [2], 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 the Benelux countries have admitted the products in question in free circulation, of which 32 000 pieces originated in the said third country ;

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 5 390 000 pieces in 1978, to 6 886 000 pieces in 1979 and to 6 094 000 pieces in 1980 ; whereas the market share taken by those imports amounted to 22 % in 1978 and to 26 % in 1979 ;

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

Whereas there have been redundancies and the numbers employed have fallen from 4 300 in 1978 to 3 800 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 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 applications for import documents covering 10 200 pieces are duly pending with the authorities of the Member States having made the request ; these applications do not need to be covered by such authorization,

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, originating in Czechoslovakia and in free circulation in the other Member States in respect of which applications for import licences were lodged after 3 April 1981 :

[1] OJ No L 16, 22. 1. 1980, p. 14.
[2] OJ No L 376, 31. 12. 1980, p. 1.

CCT heading No	Description
60.05 A II and 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 30 September 1981.

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, 13 April 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President