COMMISSION DECISION

of 20 May 1981

authorizing Ireland not to apply Community treatment to woven table linen, toilet and kitchen linen originating in Hong-Kong

(Only the English text is authentic)

(81/427/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 13 May 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 woven table linen, toilet and kitchen linen falling within subheading 62.02 B II and B III of the Common Customs Tariff, category 39, 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 has 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 these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 Ireland has admitted the products in question in free circulation originating in the said third country which amount to approximately 43·3 % of the direct 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 have increased from 108 tonnes in 1978 to 141 tonnes in 1979 and to 151 tonnes in 1980; whereas the market share taken by those imports has risen from 18 % in 1978 to 25 % in 1979;

Whereas the prices of the products in question originating in Hong Kong are approximately 23 % below the prices of like products manufactured in Ireland;

Whereas output of like products in Ireland has fallen from 548 tonnes in 1978 to 358 tonnes in 1979; whereas the domestic industry's share of the home market has fallen from 47 % in 1978 to 32 % 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 4·8 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 authorization,

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

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 8 May 1981 :

CCT heading No	Description
62.02 B II and B III (NIMEXE codes 62.02-41, 43, 47, 65, 73, 77) (category 39)	Woven table linen, toilet and kitchen linen other than of cotton terry fabric

Article 2

This Decision shall apply until new opportunities arise in Ireland for the importation of the products in question originating in Hong Kong or until 31 December 1981, whichever is the earlier.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 20 May 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President