COMMISSION DECISION

of 19 May 1981

authorizing the French Republic not to apply Community treatment to gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, impregnated or coated with artificial plastic materials, originating in Macao

(Only the French text is authentic)

(81/491/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 12 May 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 gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, impregnated or coated with artificial, plastic materials, falling within subheading 60.02 A of the Common Customs Tariff (category 10), originating in Macao, and in free circulation in the other Member States ;

Whereas the importation into the Community of the products in question originating in Macao is covered by an Agreement negotiated between the Community and that country ; whereas, under that Agreement, Macao 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 3063/79 [2] introducing specific common rules for imports of certain textile products ;

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 France has admitted 41 207 pairs of the products in question in free circulation, originating in the said third country ;

Whereas, with regard to the situation of the industry concerned, the information, with relation to categories 10 and 11, received by the Commission indicates that total imports of the products in question originating in third countries amounted to 10 792 000 pairs in 1978 and to 15 502 000 pairs in 1979 ; whereas the market share taken by those imports has risen from 74 % in 1978 to 82 % in 1979 ;

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

Whereas output of like products in France is stagnant at 2 800 000 pairs ;

Whereas these products are manufactured in a less-favoured region and provide the principal employment for a largely non-specialist workforce which could not be easily retrained ;

Whereas applications for import documents covering 55 372 pairs are duly pending the authorities of the Member States having made the request ;

Whereas the realization of the totality of the direct imports 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 ;

[1] OJ No L 16, 22. 1. 1980, p. 14.
[2] OJ No L 347, 31. 12. 1979, p. 1.

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

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in Macao and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 4 May 1981.

This authorization shall not cover products to a total volume corresponding to 10 % of the quota concerning Macao.

This quantity shall be distributed among the applicants for import documents whose applications are duly pending at the date of this Decision.

CCT heading No	Description
60.02 A (NIMEXE code: 60.02-40) (category 10)	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, impregnated or coated with artificial plastic materials

Article 2

This Decision shall apply until 31 October 1981.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 19 May 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President