COMMISSION DECISION

of 16 January 1981

authorizing the Italian Republic not to apply Community treatment to woven fabrics of cotton originating in South Korea, India and Pakistan

(Only the Italian text is authentic)

(81/50/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 Italian Government to the Commission of the European Communities for authorization not to apply Community treatment to woven fabrics of cotton, falling within heading No 55.09 of the Common Customs Tariff (category 2), originating in South Korea, India and Pakistan and in free circulation in the other Member States;

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

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 ceilings 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 shows that the direct quotas in respect of the third countries in question were fulfilled in 1979 and 1980 and that total imports in free circulation from these countries increased from 1 390 tonnes in 1979 to 1 960 tonnes in 1980;

Whereas total imports of the products in question originating in all third countries were 61 197 tonnes in 1979 and 40 476 tonnes in the first eight months of 1980;

Whereas the prices of the relevant products originating in the third countries in question, are approximately 35 to 45 % below the prices of like products manufactured in Italy;

Whereas output of like products in Italy were 161 500 tonnes in 1979 and 76 700 tonnes in the first eight months of 1980;

Whereas applications for import documents covering 1 657 tonnes are duly pending with the authorities of the Member State having made the request;

Whereas further indirect imports, in addition to those already admitted or planned, would be likely to 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,

(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

The Italian Republic is authorized not to apply Community treatment to the products indicated below, originating in South Korea, India and Pakistan 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, however, shall not cover an amount corresponding to 20 % of the 1981 quota in respect of each of the abovementioned third countries.

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
55.09 (NIMEXE codes 55.09-01, 02, 03, 04, 05, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 31, 33, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 76, 77, 78, 81, 82, 83, 84, 86, 87, 92, 93, 97) (category 2)	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics

Article 2

This Decision shall apply until 30 June 1981.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 16 January 1981.

For the Commission

Wilhelm HAFERKAMP

Member of the Commission