II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 May 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 Hong Kong

(Only the Dutch and French texts are authentic)

(81/502/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 May 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 ex A II and 61.02 ex B II of the Common Customs Tariff (category 26), 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 3063/79 [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 ceiling between the Mnember 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 the Benelux countries have admitted the products in question in free circulation, originating in the said third country, which amount approximately to 33 % 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 amounted to

[1] OJ No L 16, 22. 1. 1980, p. 14.

[2] OJ No L 347, 31. 12. 1979, p. 1.

11 937 000 pieces in 1978, to 11 717 000 pieces in 1979 and to 11 706 000 pieces in 1980 ;

Whereas output of like products in the Benelux countries has fallen from 11 496 000 pieces in 1979 to 10 662 000 pieces in 1980 ;

Whereas consumption of like products in the Benelux countries has fallen from 26 535 000 pieces in 1979 to 24 394 000 pieces 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 are duly pending with the authorities of the Member State having made the request ; whereas 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 Hong Kong and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 4 May 1981 :

CCT heading No	Description
60.05 ex A II 61.02 ex B II (NIMEXE codes 60.50-41, 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 31 October 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, 18 May 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President