COMMISSION DECISION

of 16 January 1981

authorizing the French Republic not to apply Community treatment to umbrellas and sunshades, including walking-stick umbrellas, originating in Hong Kong

(Only the French text is authentic)

(81/52/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 9 January 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 umbrellas and sunshades, including walking-stick umbrellas, falling within heading No ex 66.01 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States;

Whereas in France the importation of the products in question originating in Hong Kong is subject to an annual quota of 500 000 pieces;

Whereas for this reason disparities still exist between the conditions governing the importation of the products in question into the different Member States;

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 2 507 000 pieces in 1978 to 2 922 744 pieces in 1979; whereas the market share taken by those imports has risen from 34·2 % in 1978 to 47 % in 1979;

Whereas the prices of the products in question originating in Hong Kong are approximately 70 % below the prices of like products manufactured in France;

Whereas output of like products in France has fallen from 4 390 000 pieces in 1978 to 3 760 000 pieces in 1979; whereas the domestic industry's share of the home market has fallen from 56·2 % in 1978 to 46·5 % in 1979;

Whereas applications for import documents covering 245 200 pieces are duly pending with the authorities of the Member States having made the request;

Whereas the totality of further indirect imports would be likely to aggravate the difficulties of the industrial sector concerned and jeopardize the aims of the above-mentioned 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, the totality of the application for a licence which gave rise to the application in question does not need to be covered by such an authorization,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic 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 1 January 1981.

This authorization shall not cover products to a total volume corresponding to 30 % of the quota.

(1) OJ No L 16, 22. 1. 1980, p. 14.

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
ex 66.01	Umbrellas and sunshades, including walking-stick umbrellas

Article 2

This Decision shall apply until 30 June 1981.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 16 January 1981.

For the Commission

Wilhelm HAFERKAMP

Member of the Commission