COMMISSION DECISION

of 19 January 1981

authorizing the French Republic not to apply Community treatment to radio receivers, whether or not incorporating sound recorders or reproducers originating in South Korea, Hong Kong, Japan and Taiwan

(Only the French text is authentic)

(81/54/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 radio receivers, whether or not incorporating sound recorders or reproducers, falling within subheading 85.15 A ex III of the Common Customs Tariff, originating in South Korea, Hong Kong, Japan and Taiwan and in free circulation in the other Member States;

Whereas in France the importation of the products in question originating in South Korea, Hong Kong, Japan and Taiwan is subject to annual quotas of 200 000, 172 000 and 390 000 units and of FF 7 000 000 respectively;

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

Whereas the quotas for 1979 and 1980 have been wholly taken up;

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 all third countries have increased from FF 683 million in 1978 to FF 883 million in 1979; whereas the market share taken by those imports has risen from 45 % in 1978 to 54 % in 1979;

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

Whereas output of like products in France has fallen from FF 738 million in 1978 to FF 650 million in 1979; whereas the domestic industry's share of the home market has fallen from 22 % in 1978 to 15 % in 1979;

Whereas applications for import documents covering 506 830 units originating in South Korea, Hong Kong and Japan and FF 27 051 695 originating in Taiwan are duly pending with the authorities of the Member States having made the request;

Whereas further indirect imports would be likely to aggravate these difficulties in the industrial sector concerned 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,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in South Korea, Hong Kong, Japan and Taiwan 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 quotas with regard to the abovementioned third countries.

[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
85.15 A ex III	Radio receivers, whether or not incorporating sound recorders or reproducers

Article 2

This Decision shall apply until 30 June 1981.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 19 January 1981.

For the Commission

Wilhelm HAFERKAMP

Member of the Commission