II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 January 1981

authorizing the French Republic not to apply Community treatment to gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, originating in the Philippines and Taiwan

(Only the French text is authentic)

(81/61/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 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 gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, falling within subheading ex 60.02 B of the Common Customs Tariff (category 11), originating in the Philippines and Taiwan and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Taiwan is subject, under Commission Regulation (EEC) No 3020/77 [2], as last amended by Regulation (EEC) No 2604/78 [3], to a Community quantitative quota;

Whereas the importation into the Community of the products in question originating in the Philippines is covered by an Agreement negotiated between the Community and that country; whereas under that Agreement the Philippines 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 [4] 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 quota and ceiling 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;

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

[2] OJ No L 357, 31. 12. 1977, p. 51.
[3] OJ No L 317, 10. 11. 1978, p. 1.
[4] OJ No L 365, 27. 12. 1978, p. 1.

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 10 797 000 in 1978 to 15 502 000 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 Taiwan are considerably below the prices of like products manufactured in France;

Whereas output of like products in France amounted to 2 805 000 pairs in 1978 and 2 817 000 pairs in 1979;

Whereas applications for import documents covering 280 627 pairs are duly pending with the authorities of the Member State having made the request;

Whereas further indirect imports, in addition to those already 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;

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in the Philippines and Taiwan and in free circulation in the other Member States in respect of which applications for import licences were lodged after 7 January 1981:

CCT heading No	Description
ex 60.02 B (NIMEXE codes 60.02-50, 60, 70, 80) (category 11)	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized

Article 2

This Decision shall apply until 30 June 1981.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 22 January 1981.

For the Commission

Wilhelm HAFERKAMP

Member of the Commission