COMMISSION DECISION

of 29 June 1981

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to knitted or crocheted pyjamas and night dresses originating in Taiwan

(Only the Dutch and French texts are authentic)

(81/631/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 19 June 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 knitted or crocheted pyjamas and night dresses, falling within subheading 60.04 B IV of the Common Customs Tariff (category 25), originating in 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 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 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 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 24 % of the 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 5 339 000 pieces in 1978, to 6 911 000 pieces in 1979 and to 5 936 000 pieces in 1980; whereas the market share taken by those imports has risen from 60 % in 1978 to 75 % in 1979;

Whereas the prices of the products in question originating in Taiwan are considerably below the prices of like products manufactured in the Benelux countries;

Whereas output of like products in the Benelux countries has fallen from 2 102 000 pieces in 1978 to 1 937 000 pieces in 1979; whereas the domestic industry's share of the home market has fallen from 24 % in 1978 to 21 % in 1979;

Whereas there have been redundancies and short-time working has increased considerably;

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 an application for import documents covering approximately 6 % of the quota is duly pending with the authorities of the Member State having made the request; whereas this application does not need to be covered by such authorization,

[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.

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 Taiwan and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 22 June 1981 :

CCT heading No	Description
60.04 B IV (NIMEXE codes 60.04-51, 53, 81, 83) (category 25)	Women's, girls' and infants' (other than babies') knitted or crocheted pyjamas and night dresses, of cotton or synthetic 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, 29 June 1981.

For the Commission

Étienne DAVIGNON

Vice-President