II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 July 1981

authorizing the Italian Republic not to apply Community treatment to mounted pierzo-electric crystals originating in Japan

(Only the Italian text is authentic)

(81/674/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 10 July 1981 a request was made under the first paragraph of Article 115 of the Treaty by the Italian Government to the Commission of the European Communities for authorization not to apply Community treatment to mounted piezo-electric crystals, falling within sub-heading 85.21 C, NIMEXE code 85.21-45, originating in Japan and in free circulation in the other Member States ;

Whereas in Italy the importation of the products in question originating in Japan is subject to an annual quota of $ 30 000 ;

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

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 Italy has admitted an amount of the products in question in free circulation, originating in the said third country, to a value of $ 227 903 ;

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 Lit 1 000 million in 1979 to Lit 2 500 million in 1980 ; whereas the market share taken by those imports has risen from 14·2 % in 1979 to 17·4 % in 1980 ;

Whereas the prices of the products in question originating in Japan are approximately 50 to 70 % below the prices of like products manufactured in Italy ;

Whereas output of like products in Italy has remained stagnant at a level of Lit 4 000 million ; whereas the domestic industry's share of the home market has fallen from 50 % in 1979 to 36 % 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 ;

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

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 $ 54 327 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,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized not to apply Community treatment to the products indicated below, originating in Japan and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 7 July 1981.

CCT heading No	Description
85.21 C (NIMEXE code 85.21-45)	Mounted piezo-electric crystals

Article 2

This Decision shall apply until new opportunities arise in Italy for the importation of the products in question originating in Japan, or until 31 December 1981, whichever is the earlier.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 24 July 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President