COMMISSION DECISION

of 27 January 1981

authorizing the French Republic not to apply Community treatment to men's and boys' woven suits originating in Bulgaria

(Only the French text is authentic)

(81/68/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 13 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 men's and boys' woven suits, falling within subheading 61.01 B V of the Common Customs Tariff (category 16), originating in Bulgaria and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question, originating in Bulgaria, is covered by an Agreement negotiated between the Community and that country; whereas, under that Agreement, Bulgaria has undertaken to take all necessary steps to limit its exports of the products in question to the Community to within certain ceilings;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78 [2] introducing specific common rules for imports of certain textile products;

Whereas the difference 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 ceilings 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, France has admitted the products in question in free circulation, originating in the said third country, which amount to approximately 10 % of the direct 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 have increased from 992 000 pieces in 1978 to 1 378 000 pieces in 1979; whereas the market share taken by those imports has risen from 21 % in 1978 to 30 % in 1979;

Whereas the prices of the products in question, originating in Bulgaria, are considerable below the prices of like products manufactured in France;

Whereas output of like products in France has fallen from 4 145 000 pieces in 1978 to 3 710 000 pieces in 1979; whereas the domestic industry's share of the home market has fallen from 68 % in 1978 to 60 % in 1979;

Whereas applications for import documents covering 21 % of the direct quota are duly pending with the authorities of the Member State having made the request;

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;

[1] OJ No L 16, 22. 1. 1980, p. 14.
[2] OJ No L 365, 27. 12. 1978, p. 1.

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in Bulgaria and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 6 January 1981 :

CCT heading No	Description
61.01 B V (NIMEXE codes 61.01-51, 54, 57) (category 16)	Men's and boys' woven suits (including coordinate suits consisting of two or three pieces, which are ordered, packed, consigned and normally sold together) of wool, of cotton or of man-made textile fibres, excluding ski suits

Article 2

This Decision shall apply until 30 June 1981.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 27 January 1981.

For the Commission

Wilhelm HAFERKAMP

Member of the Commission