COMMISSION DECISION

of 18 August 1981

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to men's and boys' shirts, woven, originating in Bulgaria

(Only the Dutch and French texts are authentic)

(81/719/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 7 August 1981 a request was made under the first paragraph of Article 115 of the Treaty by the Benelux Governments to the Commission of the European Communities for authorization not to apply Community treatment to men's and boys' shirts, woven, falling within subheading 61.03 A of the Common Customs Tariff (category 8), 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 within certain ceilings ;

Whereas, in order to implement that Agreement and take account of its characteristies, the Council adopted Regulation (EEC) No 3059/78 [2] 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 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 the Benelux countries have admitted 55 420 pieces of the products in question, originating in the said third country, in free circulation ;

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 23 814 000 pieces in 1980 and to 6 957 000 pieces in the first three months of 1981 ;

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

Whereas output of like products in the Benelux countries has fallen about 50 % in the years from 1977 to 1980 and the domestic industry's share was only 16·5 % in 1979 ;

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 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 Bulgaria and in free circulation in the other Member States, in respect of which applications for import licences were lodged after the date of adoption of this Decision :

CCT heading No	Description
61.03 A (NIMEXE codes 61.03-11, 15, 19) (category 8)	Men's and boys' shirts, woven, of wool, of cotton or of man-made textile fibres

Article 2

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

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, 18 August 1981.

For the Commission

Étienne DAVIGNON

Vice-President