COMMISSION DECISION

of 4 August 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 People's Republic of China

(Only the French text is authentic)

(81/726/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 24 July 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 of crocheted, not elastic or rubberized, falling within heading No 60.02 of the Common Customs Tariff (categories 10 and 11), originating in the People's Republic of China and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in the People's Republic of China is covered by an Agreement negotiated between the Community and that country; whereas under that Agreement the People's Republic of China 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 characteristics, the Council adopted Regulation (EEC) No 3061/79 [2] introducing specific common rules for imports of certain textile products;

Whereas these 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 State have resulted in deflections of trade, in that since 1 January 1981 France has admitted 267 000 pairs of the products in question in free circulation originating in the said third country;

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 pairs in 1978 to 15 500 000 pairs in 1979 and amounted to 14 049 000 pairs in 1980; 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 the People's Republic of China, are considerably below the prices of like products manufactured in France;

Whereas output of like products in France is stagnant at 2 800 000 pairs since 1978;

Whereas the products are manufactured in a less-favoured region and provide the principal employment for a largely non-specialist workforce which could not be easily retrained;

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 possilbe 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 applications for import documents covering 48 000 pairs are duly pending with the authorities of the Member State having made the request; whereas these applications do not need to be covered by such authorization,

[1] OJ No L 16, 22. 1. 1980, p. 14.
[2] OJ No L 345, 31. 12. 1979, 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 the People's Republic of China and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 22 July 1981.

CCT heading No	Description
60.02 (NIMEXE codes 60.02-40, 50, 60, 70, 80) (categories 10 and 11)	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized

Article 2

This Decision shall apply until 30 November 1981.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 4 August 1981.

For the Commission

Étienne DAVIGNON

Vice-President