COMMISSION DECISION

of 22 July 1981

authorizing the French Republic not to apply Community treatment to woven fabrics of cotton and woven fabrics of discontinuous synthetic textile fibres, originating in Thailand

(Only the French text is authentic)

(81/807/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 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 woven fabrics of cotton and woven fabrics of discontinuous synthetic textile fibres falling within heading No 55.09 and subheading 56.07 A of the Common Customs Tariff (categories 2 and 3), originating in Thailand and in free circulation in the other Member States ;

Whereas the importation into the Community of the products in question originating in Thailand is covered by an Agreement negotiated between the Community and that country ; whereas, under that Agreement, Thailand 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 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 ceiling 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 274·8 tonnes of the products in question in free circulation, originating in the said third country, of which 114 tonnes were in category 2 ;

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 59 849 tonnes in 1979 to 62 885 tonnes in 1980 ;

Whereas the prices of the products in question originating in Thailand are considerably below the prices of like products manufactured in France ;

Whereas output of the products in category 2 in France has fallen from 102 731 tonnes in 1978 to 101 645 tonnes in 1979 ; whereas the domestic industry's share of the home market has fallen from 48 % in 1978 to 41 % in 1979 ; whereas the national output of the products in category 3 has fallen from 61 514 tonnes in 1979 to 55 195 tonnes in 1980 ; whereas the domestic industry's share of the home market has fallen from 63 % in 1978 to 61 % 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 ;

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

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 8·7 tonnes of category 3 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 French Republic is authorized not to apply Community treatment to the products indicated below, originating in Thailand 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
55.09 and 56.07 A (NIMEXE codes: 55.09-01, 02, 03, 04, 05, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 31, 33, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 76, 77, 78, 81, 82, 83, 84, 86, 87, 92, 93, 97; 56.07-01, 04, 05, 07, 08, 11, 13, 14, 16, 17, 18, 21, 23, 24, 26, 27, 28, 32, 33, 34, 36) (categories 2 and 3)	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics Woven fabrics of synthetic fibres (discontinuous or waste), other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics

Article 2

This Decision shall apply until new opportunities arise in France for the importation of the products in question or, if earlier, until 31 December 1981 for the products in category 2 or until 30 September 1981 for the products in category 3.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 22 July 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President