COMMISSION DECISION

of 2 February 1981

authorizing Ireland not to apply Community treatment to shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, originating in Hong Kong

(Only the English text is authentic)

(81/96/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 23 January 1981 a request was made, under the first paragraph of Article 115 of the Treaty, by the Irish Government to the Commission of the European Communities for authorization not to apply Community treatment to shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, falling within subheadings 60.04 B I, B II and ex B IV of the Common Customs Tariff (category 4), originating in Hong Kong and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Hong Kong is covered by an Agreement negotiated between the Community and that country; whereas, under that Agreement, Hong Kong 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 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 Ireland has admitted the products in question in free circulation, originating in the said third country, which amount to approximately 14 % 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 1 251 000 pieces in 1978 to 1 545 000 pieces in 1979 and amounted to 1 837 000 pieces in the first 10 months of 1980; whereas the market share taken by those imports has risen from 22 % in 1978 to 28 % in 1979;

Whereas the prices of the products in question originating in Hong Kong are approximately 50 % below the prices of like products manufactured in Ireland;

Whereas output of like products in Ireland has fallen from 4 080 000 pieces in 1978 to 3 725 000 pieces in 1979;

Whereas an application for import documents covering 28 000 pieces is duly pending with the authorities of the Member State having made the request;

Whereas further indirect imports, in addition to those already admitted, 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

Ireland is authorized not to apply Community treatment to the products indicated below, originating in Hong Kong and in free circulation in the other Member States in respect of which applications for import licences were lodged after 15 January 1981. This authorization shall not cover products to a total volume of 20 000 pieces. This quantity shall be distributed among the applicants for import documents whose applications are duly pending at the date of this Decision.

CCT heading No	Description
60.04 B I, B II, and ex B IV (NIMEXE codes 60.04-19, 20, 22, 23, 24, 26, 41, 50, 58, 71, 79, 89) (category 4)	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers, undervests and the like, knitted or crocheted, non elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres, T-shirts and lightweight fine knit roll, polo or turtle necked jumpers and pullovers of regenerated textile fibres, other than babies' garments

Article 2

This Decision shall apply until 31 July 1981.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 2 February 1981.

For the Commission

Wilhelm HAFERKAMP

Member of the Commission