COMMISSION REGULATION (EEC) No 716/78
of 7 April 1978
introducing Community surveillance of imports of footwear

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1439/74 of 4 June 1974 on common rules for imports [1], and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No 109/70 of 19 December 1969 establishing common rules for imports from State-trading countries [2], and in particular Article 6 (1) (a) and (b) thereof,

Having consulted the Committees set up under Article 5 of each of the said Regulations,

Whereas footwear imports into the Community, particularly from certain countries of origin, have increased considerably in recent years; whereas, as a result, exports from third countries have won an increasing share of the Community market;

Whereas, moreover, certain major industrialized countries have recently taken or reinforced measures to protect their markets; whereas these measures will put on to the world market large quantities of footwear which, since they are barred from their now protected traditional outlets, will tend to come on to the Community market in particular;

Whereas, since imports of certain of footwear are liberalized at Community level, they can be imported in unlimited quantities, thereby threatening, because of the sensitivity of the market for such products, to cause serious injury to Community producers of similar or competing products;

Whereas the import restrictions on footwear falling within heading Nos 64.01, 64.02, 64.03 and 64.04 of the Common Customs Tariff have not yet been lifted throughout the Community; whereas, however, these products are imported freely into certain Member States and, because of the free circulation within the Community and the sensitivity of the market for these products, threaten to cause injury to Community producers of similar or competing products;

Whereas, in these circumstances, it is in the Community's interest to introduce Community surveillance of these imports by means of the import document provided for in Article 8 of Regulation (EEC) No 1439/74 and Article 6 of Regulation (EEC) No 109/70; whereas the period of use for this document should be three months; whereas this document must be issued or endorsed by Member States, free of charge, for any quantity requested and within a maximum of five working days following the submission of a declaration or an application by any Community importer, regardless of his place of business in the Community;

Whereas the establishment of Community surveillance of imports removes the need for the retrospective control introduced for certain types of footwear by Commission Decision 75/202/EEC of 13 March 1975 [3] and extended until 31 December 1978 by Commission Decision 77/424/EEC of 13 June 1977 [4],

HAS ADOPTED THIS REGULATION:

Article 1

Importation into the Community of footwear falling within heading Nos 64.01, 64.02, 64.03 and 64.04 of the Common Customs Tariff originating in the countries listed in Annex I is hereby made subject to Community surveillance in accordance with the procedures set out in Articles 8 and 11 of Regulation (EEC) No 1439/74, Article 6 of Regulation (EEC) No 109/70 and this Regulation.

Article 2

1. The products referred to in Article 1 originating in the countries listed in Annex I may be put into free circulation only on production of an import document. This import document shall be issued or endorsed by Member States in accordance with the conditions laid down in Article 8 (1) of Regulation (EEC) No 1439/74 and Article 6 of Regulation (EEC) No 109/70, and shall be valid for a period of three months.

(1) OJ No L 159, 15. 6. 1974, p. 1.
(2) OJ No L 19, 26. 1. 1970, p. 1.
(3) OJ No L 90, 11. 4. 1975, p. 40.
(4) OJ No L 169, 7. 7. 1977, p. 32.

2. In those Member States where the importation of these products is subject to an import authorization, that authorization shall replace the import document referred to in paragraph 1.

Article 3

The declaration or application by the importer regarding an import document provided for in Article 8 of Regulation (EEC) No 1439/74 and in Article 6 (1) (b) of Regulation (EEC) No 109/70 shall give, in addition to the information required therein, a breakdown of the quantities (in pairs) according to the NIMEXE nomenclature.

Article 4

The information shall be supplied to the Commission by the Member States in accordance with the conditions laid down in Article 11 (1) of Regulation (EEC) No 1439/74 and in Article 6 (2) of Regulation (EEC) No 109/70. This information, as regards the part which relates to the imports made, shall include, at least for the countries listed in Annex I, the following matters :

— the quantities, expressed in pairs and broken down according to the NIMEXE nomenclature,

— the value of the imported products, expressed in national currency.

Article 5

There is hereby added to column 3 of Annex I to Regulation (EEC) No 1439/74 references to subheading 64.02 A and to heading Nos 64.03 and 64.04 of the Common Customs Tariff.

Article 6

Decision 77/424/EEC is hereby repealed.

Article 7

This Regulation shall enter into force on 1 May 1978.

It shall apply until 31 October 1978.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 April 1978.

For the Commission

Wilhelm HAFERKAMP

Vice-President

ANNEX

List of countries referred to in Article 1

Brazil	China
Hong Kong	Czechoslovakia
South Korea	Poland
Malaysia	Romania
Pakistan	
Spain	
Taiwan	