

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 July 1981

authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to track suits of knitted or crocheted fabric originating in Romania

(Only the Dutch and French texts are authentic)

(81/724/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 July 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 track suits of knitted or crocheted fabric, falling within subheading 60.05 ex A II of the Common Customs Tariff (category 73), originating in Romania and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Romania is covered by an Agreement negotiated between the Community and that country; whereas under that Agreement Romania 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⁾, as last amended by Regulation (EEC) No 920/81⁽³⁾, 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 the Benelux countries have admitted 110 000 pieces 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 amounted to 1 528 000 pieces in 1978, to 1 996 000 pieces in 1979

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 365, 27. 12. 1978, p. 1.

⁽³⁾ OJ No L 98, 9. 4. 1981, p. 1.

and to 1 795 000 pieces in 1980 ; whereas the market share taken by those imports has risen from 54 % in 1978 to 59.5 % in 1979 ;

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

Whereas output of like products in the Benelux countries has fallen from 545 000 pieces in 1978 and in 1979 to 500 000 pieces in 1980 ; whereas the domestic industry's share of the home market has fallen from 19.21 % in 1978 to 16.22 % 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 ;

Whereas an application for import documents covering 24 991 pieces 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 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 Romania and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 21 July 1981.

CCT heading No	Description
60.05 ex A II (NIMEXE codes 60.05-16, 17, 19) (category 73)	Track suits of knitted or crocheted fabric, not elastic or rubberized, 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 Romania 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, 30 July 1981.

For the Commission

Étienne DAVIGNON

Vice-President