

**COMMISSION DECISION**

of 30 October 1968

**relating to the exclusion from Community treatment by the Benelux countries under the first paragraph of Article 15 of the Treaty of certain paving and tiles originating in Japan and in free circulation in the other Member States****(Only the Dutch and French texts are authentic)**

(68/397/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 the Commission Decision of 22 November 1967 authorizing the Benelux countries to exclude from Community treatment 'setts, flags and paving, hearth and wall tiles' of heading Nos ex 69.07 and ex 69.08 of the Common Customs Tariff originating in Japan and in free circulation in the other Member States;

Having regard to the request for an extension of that Decision by the Benelux countries in the communications of 28 June, 4 and 5 July 1968 from the offices of their Permanent Representatives;

Having regard to the *note verbale* of 12 September 1968 from the Belgian Government requesting application of protective measures and reporting to the deflection of trade involving 55 metric tons of the products in question originating in Japan and coming from Italy;

Whereas, the importation of the products in question is subject to quantitative restrictions in all the Member States under bilateral quotas as regards the Benelux countries, France and Italy, and as regards Germany by a voluntary restraint agreement concluded between the German and Japanese Governments;

Whereas the importation into the Benelux countries of setts, flags and paving, hearth and wall tiles through the intermediary of the other Member States would constitute deflections of trade which would hinder the implementation of measures of commercial policy adopted by the Benelux countries in respect of the country of origin;

Whereas, since similar treatment is applied to Japan by all the Member States, it is advisable in this particular case, in the first instance, to seek methods of cooperation which may avoid the need to apply protective measures;

Whereas, pending the application of these methods, the Benelux countries should be authorized to suspend the issue of licences for these products,

HAS ADOPTED THE FOLLOWING DECISION:

*Article 1*

Belgium, Luxembourg and the Netherlands are hereby authorized, as an interim protective measure, to suspend the issue of import licences for setts, flags and paving, hearth and wall tiles (Tariff heading Nos ex 69.07 and ex 69.08) originating in Japan and in free circulation in the other Member States.

*Article 2*

This Decision shall apply until the entry into force of a definitive Commission Decision on the matter.

*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 October 1968.

*For the Commission*

*The President*

Jean REY