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## COMMISSION DECISION

of 22 December 1972

authorizing France to apply protective measures to live sheep, falling within subheading 01.04 A I b) of the Common Customs Tariff, and to mutton and lamb, falling within subheading 02.01 A ex IV of the Common Customs Tariff, originating in third countries and in free circulation in the other Member States

(Only the French text is authentic)

(72/481/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 request addressed by France to the Commission by letter of 10 November 1972 from its Permanent Representative to the European Communities for authorization to apply protective measures to live sheep, falling within subheading 01.04 A I b) of the Common Customs Tariff, and to mutton and lamb, falling within subheading 02.01 A ex IV of the Common Customs Tariff, originating in third countries and in free circulation in the other Member States, and to like products originating in the new Member States,

Whereas, since Article 115 of the Treaty applies solely to imports of products originating in third countries, protective measures cannot be applied to products originating in the new Member States;

Whereas for these products differences between the commercial policy measures applied by France and those applied by the other Member States in respect of third countries are causing a deflection of trade;

Whereas this deflection of trade is preventing application of the commercial policy measures adopted by France in respect of third countries;

Whereas it is not possible at present to apply methods whereby other Member States would give the necessary cooperation;

Whereas, in these circumstances, protective measures should be authorized for a limited period, pursuant to the first paragraph of Article 115 of the Treaty,

*Article 1*

The French Republic is hereby authorized to apply to imports of live sheep, falling within subheading 01.04 A I b), and mutton and lamb falling within subheading 02.01 A ex IV of the Common Customs Tariff, originating in third countries and in free circulation in the other Member States, the non-tariff arrangements which it applies to imports of the same goods originating in and coming from third countries.

*Article 2*

This Decision shall apply until such time as a Council Regulation on the common organization of the market in the products in question is implemented and until 31 December 1973 at the latest.

*Article 3*

This Decision is addressed to the French Republic.

Done at Brussels, 22 December 1972.

*For the Commission*

*The President*

Franco M. MALFATTI