

COMMISSION DECISION

of 9 September 1977

authorizing the Federal Republic of Germany not to apply Community treatment to panty hose of synthetic textile fibres, falling within heading No ex 60.04 of the Common Customs Tariff, originating in the Republic of Korea and in free circulation in the other Member States

(Only the German text is authentic)

(77/786/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 application under the first paragraph of Article 115 of the Treaty, made on 5 September 1977 by the Government of the Federal Republic of Germany to the Commission by telex from the office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to panty hose of synthetic textile fibres falling within heading No ex 60.04 of the Common Customs Tariff and in free circulation in the other Member States,

Whereas the import into the Federal Republic of Germany of the products in question from the Republic of Korea is subject to a quota of 4 620 000 pieces, agreed upon by the Community and the Government of the Republic of Korea;

Whereas according to information supplied by the Government of the Federal Republic of Germany to direct and indirect imports effected since 1 January 1977 massively exceed the abovementioned ceiling;

Whereas further indirect imports would be likely to aggravate the serious economic difficulties in the branch of the textile industry concerned, which are resulting in particular in a progressive decline of production;

Whereas it is not possible at the present time to set in motion 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 by the Commission Decision of 12 May 1971⁽¹⁾, and in particular Article 1 thereof;

Whereas, it is nevertheless inappropriate to cover by such a decision the request for a licence, which has motivated the application in question, because of its low amount,

HAS ADOPTED THIS DECISION:

Article 1

The Federal Republic of Germany is authorized not to apply Community treatment to panty hose of synthetic textile fibres falling within heading No ex 60.04 of the Common Customs Tariff, where they originate in the Republic of Korea and are in free circulation in the other Member States, and in respect of which applications for import licences were lodged after the date of this Decision.

Article 2

This Decision shall apply until new opportunities arise in the Federal Republic of Germany for the importation of the products in question from the Republic of Korea and in any case not later than 31 December 1977.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 9 September 1977.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 121, 3. 6. 1971, p. 26.