

COMMISSION DECISION**of 29 January 1981****authorizing the Italian Republic not to apply Community treatment to woven fabrics of cotton originating in the People's Republic of China****(Only the Italian text is authentic)****(81/86/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 January 1981, a request was made under the first paragraph of Article 115 of the Treaty by the Italian Government to the Commission of the European Communities for authorization not to apply Community treatment to woven fabrics of cotton falling within heading No 55.09 of the Common Customs Tariff (category 2), originating in the People's Republic of China and in free circulation in the other Member States ;

Whereas the importation into the Community of the products in question originating in the People's Republic of China is covered by an Agreement negotiated between the Community and that country ; whereas, under that Agreement, the People's Republic of China has undertaken to take all necessary steps to limit its exports of the products in question to the Community to within certain ceilings ;

Whereas in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3061/79 ⁽²⁾, 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 ceilings 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, Italy has admitted the products in question in free circulation, originating in the said third country, which amount to approximately 16 % of the direct quota ;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that the direct quota in respect of the third country in question was fulfilled in 1979 and 1980 ;

Whereas total imports of the products in question originating in third countries were 61 197 tonnes in 1979 and 40 476 tonnes in the first eight months of 1980 ;

Whereas the prices of the products in question originating in the People's Republic of China are approximately 45 % below the prices of like products manufactured in Italy ;

Whereas output of like products in Italy were 101 500 tonnes in 1979 and 112 000 tonnes in 1980 ;

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

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 345, 31. 12. 1979, p. 1.

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 99 tonnes is duly pending with the authorities of the Member State having made the request; whereas, in view of the amount involved, this application does not need to be covered by such authorization;

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized not to apply Community treatment to the products indicated below, originating in the People's Republic of China and in free circulation in the other Member States in respect of which applications for import licences were lodged after 19 January 1981:

CCT heading No	Description
55.09 (NIMEXE codes 55.09-01, 02, 03, 04, 05, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 31, 33, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 76, 77, 78, 81, 82, 83, 84, 86, 87, 92, 93, 97) (category 2)	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics

Article 2

This Decision shall apply until 30 June 1981.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 29 January 1981.

For the Commission

Wilhelm HAERKAMP

Member of the Commission