

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 30 January 1976

**authorizing the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands not to apply Community treatment to electric motors falling within heading No ex 85.01 of the Common Customs Tariff, originating in Czechoslovakia and put into free circulation in the other Member States**

**(Only the French and Dutch texts are authentic)**

**(76/295/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 26 January 1976 by the Governments of the Benelux countries to the Commission by telex from the Office of the Permanent Representative of the Kingdom of the Netherlands to the European Communities, for authorization not to apply Community treatment to electric motors falling within heading No ex 85.01 of the Common Customs Tariff, originating in Czechoslovakia and put into free circulation in the Federal Republic of Germany,

Whereas, in accordance with the Council Decision of 27 March 1975<sup>(1)</sup>, as amended by the Decision of 18 December 1975<sup>(2)</sup>, the Benelux countries have opened an annual quota in the said products for Czechoslovakia of Fl 552 000; whereas imports thereof into the Federal Republic of Germany from the same third country are liberalized;

Whereas, according to the information supplied by the Governments of the Benelux countries, there are

serious economic difficulties in the sector in question, caused largely by unequal conditions of competition with certain countries (including Czechoslovakia), which enables such countries to export at prices lower than those of producers in the Benelux countries;

Whereas these economic difficulties have led to a considerable drop in production involving unemployment in a number of factories, and a continual reduction in the number of workers employed in the relevant sector;

Whereas the indirect imports in question (which exceed 90 % of the quota established for direct imports) would be additional to those already effected, and so would be likely to aggravate these economic difficulties;

Whereas the machinery for bringing about the necessary cooperation from the Federal Republic of Germany cannot be set up at once;

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<sup>(3)</sup>, and in particular Article 1 thereof,

<sup>(1)</sup> OJ No L 99, 21. 4. 1975, p. 7.

<sup>(2)</sup> OJ No L 332, 29. 12. 1975, p. 1.

<sup>(3)</sup> OJ No L 121, 3. 6. 1971, p. 26.

HAS ADOPTED THIS DECISION :

*Article 1*

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands are hereby authorized not to apply Community treatment to imports of electric motors falling within heading No ex 85.01 of the Common Customs Tariff, originating in Czechoslovakia and put into free circulation in the other Member States, in respect of which applications for import licences were lodged after 13 January 1976.

*Article 2*

This Decision shall apply until new opportunities arise in the Benelux countries for the importation of

the products in question from Czechoslovakia and in any case not later than 31 December 1976.

*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 January 1976.

*For the Commission*

Christopher SOAMES

*Vice-President*

---