

Notice concerning imports into the Community of Japanese goods falling within the scope of the Rome Treaty

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Only the published text is authentic

There has recently been an increasing number of instances of Japanese industries preparing, sometimes independently and sometimes after consultation with their European counterparts, measures to restrict imports of Japanese goods into the Community or otherwise regulate quantities, prices, quality or the like.

The Commission considers that it should point out to those concerned that Article 85(1) of the Treaty establishing the European Economic Community prohibits as incompatible with the common market all agreements between undertakings, decisions by associations of undertakings and concerted practices which may affect trade between Member States and which have as their object or effect the prevention, restriction or distortion of competition within the common market.

The fact that the headquarters of some or all of the firms involved are located outside the Community does not vitiate this provision if the effects of such agreements, decisions or concerted practices are felt within the common market.

The Commission recommends those concerned to notify such agreements, decisions and practices in good time, as required by Council Regulation No 17 implementing Articles 85 and 86 of the Treaty¹. The Commission will scrutinize these agreements, decisions and practices to determine whether they are compatible with the Community competition rules. At the same time the Commission will keep a close watch on developments in the industries concerned and propose such appropriate trade policy measures as may be required to resolve this type of problem.

¹ OJ 13, 21.2.1962, p. 204/62.