

COMMISSION OF THE EUROPEAN COMMUNITIES

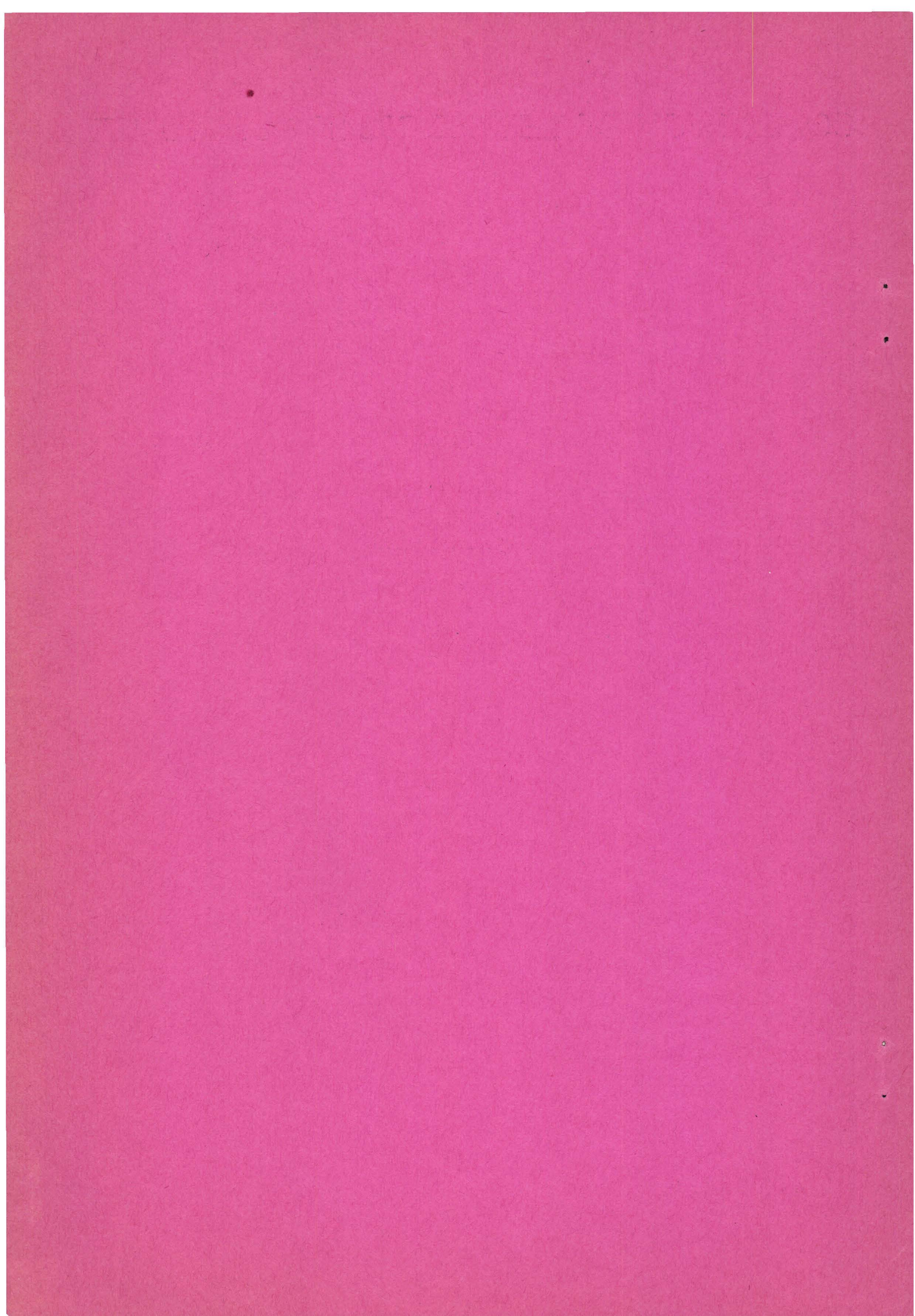
COM(75) 267 final

Brussels, 12 June 1975

HILLMAN

CODIFICATION IN THE CEREALS SECTOR

(Proposal for a regulation submitted by the
Commission to the Council)

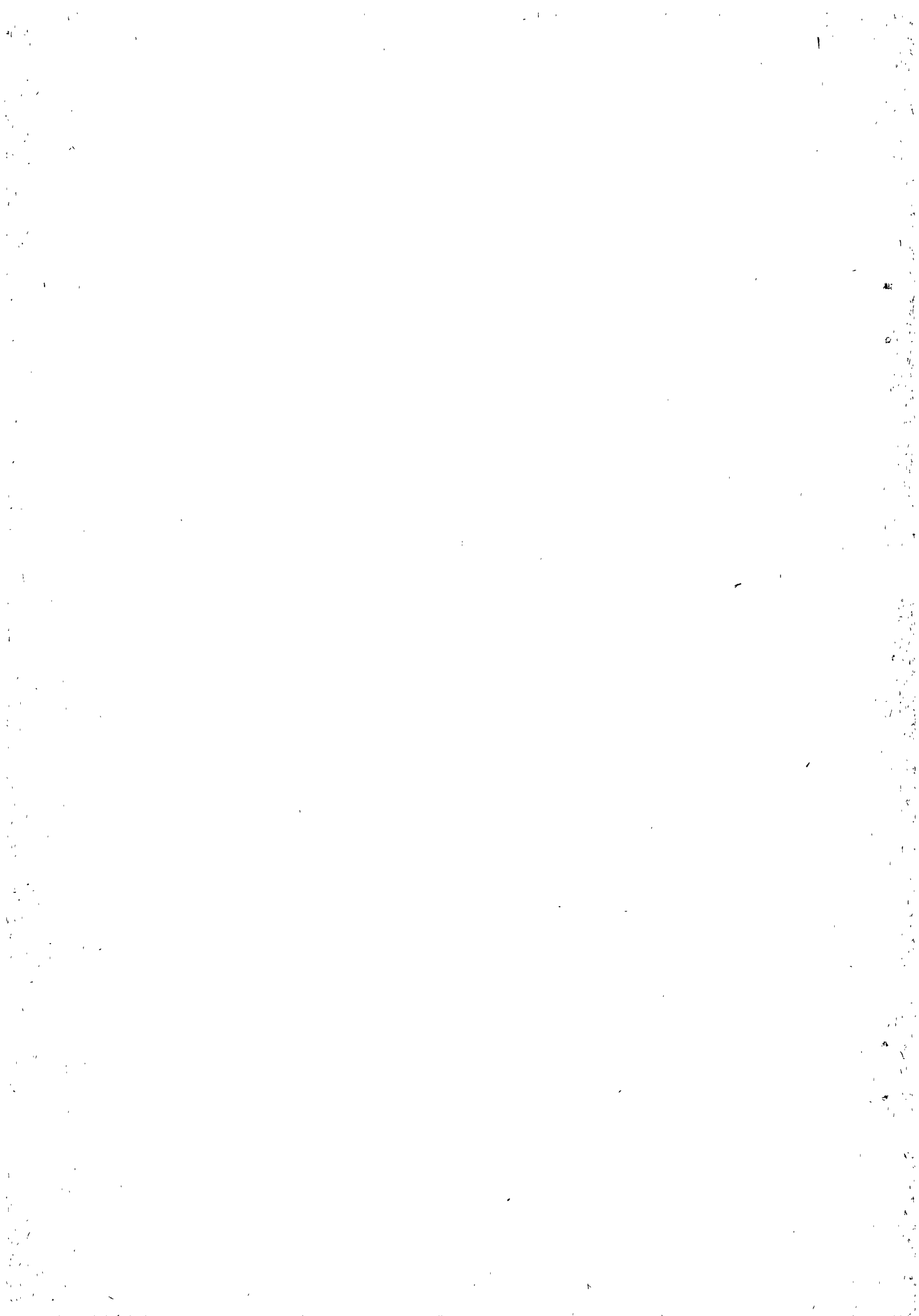


EXPLANATORY NOTE

This series of agricultural acts relating to the cereals sector constitutes the Fourth set of Commission proposals consolidating the secondary agricultural legislation of the Council.

It is designed to respond to the desire of the Council, expressed most recently in a resolution of 26 November 1974, inviting the Commission to submit proposals for consolidation to it.

The method adopted for this consolidation is that used in respect of the previous series of acts.



REGULATION No OF THE COUNCIL
of
on the common organization of the market
in cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas since their adoption the basic provisions concerning the organization of the market in cereals have been amended a number of times; whereas, by reason of their number, their complexity and their dispersal among various Official Journals, these texts are difficult to use and thus lack the clarity which should be an essential feature of all legislation; whereas they should, therefore, be consolidated in a single text;

Whereas the operation and development of the common market in agricultural products must be accompanied by the establishment of a common agricultural policy to include in particular a common organization of agricultural markets which may take various forms depending on the product;

Whereas the common organization of the market in cereals must include the introduction of a single price system introduction for cereals for the Community; whereas such system entails fixing annually for the principal products a target price valid for the whole Community, a single intervention price or a basic intervention price from which are obtained various derived intervention prices at which the relevant agencies must buy in cereals offered to them and a threshold price on which the price of imported products must be aligned by means of a variable import levy and on which the price of exported products may be aligned by means, as appropriate, of export refunds or other mechanisms;

Whereas the aim of the common agricultural policy is to attain the objectives set out in Article 39 of the Treaty; whereas in the cereals sector, in order to stabilize markets and to ensure a fair standard of living for the agricultural community concerned, intervention agencies should be able to take intervention measures on the market;

Whereas free movement of cereals within the Community should enable storages in deficit areas to be covered by surpluses in production areas; whereas, so as not to impede this in the case of common wheat, intervention prices derived from the basic price should be fixed in such a way that the differences between them reflect the disparities which, given a normal harvest, arise under natural conditions of price formation on the market, and that the forces of supply and demand may have free play; whereas, as regards the other basic

products, shortages in deficit areas could be covered by surpluses in production areas if a single intervention price is fixed corresponding to the lowest intervention prices which would have been fixed in the Community had the system provided for in respect of common wheat been applied to those products;

Whereas, the intervention agencies must be able, in special circumstances, to take intervention measures suited to those circumstances; whereas, however, so that the required uniformity of intervention systems may be maintained, those special circumstances should be assessed and the appropriate measures determined at Community level;

Whereas, the target prices, intervention prices and threshold prices should, in the course of the marketing year, be subject to a certain number of monthly increases in order to take account, among other things, of storage costs and interest charges for storing cereals in the Community and of the need to ensure that the disposal of stocks conforms to market requirements;

Whereas it may prove impossible to give producers of durum wheat sufficient guarantees by fixing a price which takes into account the ratio existing normally on the world market between durum and common wheat prices; whereas this ratio should be respected so far as possible in the Community because of the interchangeability of these two products; whereas provision must therefore be made for the possibility of granting aid to producers of durum wheat;

Whereas in view of the special market situation for starch, potato starch and glucose produced by the "direct hydrolysis" process it may prove necessary to provide for a production refund of such a nature that the basic products used by this industry can be made available to it at a lower price than that resulting from the application of the system of levies and common prices;

Whereas the creation of a single Community market for cereals involves, apart from a single price system, the introduction of a single trading system at the external frontiers of the Community; whereas a trading system including levies and export refunds, combined with intervention measures, also serves to stabilize the Community market, in particular by preventing price fluctuations on the world market from affecting prices ruling within the Community; whereas, therefore, provision should be made for charging a levy on imports from third countries and for the payment of a refund on exports to these countries, both being designed to cover the difference between prices ruling outside and within the Community; whereas, moreover, in respect of products processed from cereals to which this Regulation applies, account should be taken of the need to ensure a measure of protection for the Community processing industry;

Whereas, in addition to the system described above, and to the extent necessary for its proper working, provision should be made for regulating or, when the situation on the market so requires, prohibiting the use of "inward processing arrangements"; whereas, moreover, the refund should be fixed in such a way that operations under inward processing arrangements do not lead the Community processing industry to use, with a view to export, basic products imported from third countries in preference to Community basic products;

Whereas the competent authorities must be in a position constantly to follow trade movements in order to assess market trends and to apply the measures laid down in this Regulation as necessary; whereas, to that end, provision should be made for the issue of import and export licences accompanied by the provision of security guaranteeing that the transactions for which such licences are requested are effected;

Whereas the levy system makes it possible to dispense with all other protective measures at the external frontiers of the Community; whereas, however, the common price and levy machinery may in exceptional circumstances prove defective; whereas, in such cases, so as not to leave the Community market without defence against disturbances which may arise therefrom after the import barriers which existed previously have been removed, the Community should be enabled to take all necessary measures without delay;

Whereas, in view of the high prices on the world market, provision should be made for appropriate measures to be taken in order to safeguard Community supplies and to stabilize prices on Community markets;

Whereas the establishment of a single market based on a common price system would be jeopardized by the granting of certain aids; whereas, therefore, the provisions of the Treaty which allow the assessment of aids granted by Member States and the prohibition of those which are incompatible with the common market should be made to apply to cereals;

Whereas Italy should be authorized for some years to take measures to reduce the impact of the new system on the level of prices for feed grain in that Member State in order to facilitate the adjustment of the Italian market to that new system;

Whereas the common organization of the market in cereals must include the products of primary processing which contain cereals or certain products which do not contain cereals but which are directly interchangeable in their use with cereals or with products obtained from cereals;

Whereas the Community is required under international obligations concerning cereals, to furnish certain information about the trends on its market; whereas, therefore, provision should be made for Member States to furnish the Commission with the necessary particulars;

Whereas, in order to facilitate implementation of the proposed measures, a procedure should be provided for establishing close cooperation between Member States and the Commission within a Management Committee;

Whereas the European Economic Community is a party to the International Grains Arrangement; whereas provisions for mobilizing food aid should be adopted; whereas it should be provided that, save in exceptional circumstances, products intended as food aid should be obtained on the Community market; whereas such products are to be purchases on that market, taken from cereal stocks held by intervention agencies or manufactured from such cereals;

Whereas the common organization of the market in cereals must take appropriate account, at the same time, of the objectives set out in Articles 39 and 110 of the Treaty;

HAS ADOPTED THIS REGULATION:

Article 1

The common organization of the market in cereals shall comprise a price and trading system and cover the following products:

CCT heading No	Description of goods
(a) 10.01 A	Common wheat and meslin
10.02	Rye
10.03	Barley
10.04	Oats
10.05 B	Maize, other than hybrid maize for sowing
10.07	Buckwheat, millet, canary seed and grain sorghum; other cereals
(b) 10.01 B	Durum wheat
(c) 11.01 A	Wheat or meslin flour
11.01 B	Rye flour
ex 11.02 A	Wheat groats and meal (common wheat and durum wheat)
(d)	The products specified in Annex A to this Regulation

TITLE IPricesArticle 2

1. Simultaneously and before 1 August of each year the following prices shall be fixed for the Community for the marketing year beginning during the following calendar year:
 - a target price for each of the following: common wheat, durum wheat, barley, maize and rye;
 - a basic intervention price for common wheat;
 - a guaranteed minimum price for durum wheat.
2. These prices shall be fixed for a standard quality to be determined for each of the above cereals.
3. The target price and the basic intervention price shall be fixed for Duisburg at the wholesale stage, goods delivered to warehouse, not unloaded.

The guaranteed minimum price for durum wheat shall be fixed for the marketing centre of the region with the largest surplus, at the same stage and under the same conditions as the target price.
4. The prices mentioned in this Article and the standard qualities for which they are fixed shall be determined in accordance with the procedure laid down in Article 43(2) of the Treaty.

Article 3

The marketing year for all products referred to in Article 1 shall begin on 1 August and end on 31 July of the following year.

Article 4

1. In order to guarantee to producers that the market price does not fall below a minimum level, derived intervention prices for common wheat shall be fixed for the Community, in addition to the basic intervention price.

The derived intervention prices shall be fixed for the same standard quality, at the same stage and under the same conditions as the target price, for all marketing centres in the Community except Duisburg. The level of the derived intervention prices shall be fixed in such a way, that the differences between them correspond to the disparities in prices to be expected in a normal harvest under natural conditions of price formation on the market and that they allow the free movement of cereals within the Community in accordance with the requirements of the market.

2. For barley, rye, durum wheat and maize, for which no basic intervention price is laid down, single intervention prices shall be fixed for the Community for all the marketing centres for those cereals. These prices shall correspond to the lowest derived intervention prices which would have been fixed in the Community, had paragraph 1 been applied in respect of the said cereals.

3. Intervention prices shall be valid from 1 August to 31 May of the following year. From 1 June to 31 July the intervention prices valid for August of the following marketing year shall apply.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall lay down each year before 15 March for the following marketing year:

- (a) for each Member State, the marketing centre for common wheat to which the lowest intervention price applies and the price in question;

- (b) the principal marketing centres and the derived intervention prices to be applied in those centres;
- (c) the single intervention prices for barley, rye, durum wheat and maize.

5. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt rules for:

- (a) determining marketing centres other than those mentioned in paragraph 4(b);
- (b) deriving intervention prices valid both for the principal marketing centres and for other centres.

6. The marketing centres mentioned in paragraph 5(a) and the derived intervention prices valid for those centres shall be determined, after consultation with the Member States concerned, before 15 May of each year for the following marketing year, in accordance with the procedure laid down in Article 26.

Article 5

1. In respect of common wheat, durum wheat, barley, maize and rye a threshold price shall be fixed for the Community in such a way that the selling price for the imported product on the Duisburg market shall be the same as the target price, differences in quality being taken into account.

The threshold price shall be fixed for the same standard quality as the target price.

2. For a standard quality of each of the products specified in Article 1(a) which are not mentioned in paragraph 1 above, a threshold price shall be fixed for the Community in such a way that the price for those cereals mentioned in paragraph 1 which are in competition with these products shall reach the target price on the Duisburg market.

3. For a standard quality of each of the products specified in Article 1(c) a threshold price shall be fixed for the Community, account being taken of the objective stated in paragraph 2 and of the need to protect the processing industry.

4. The threshold prices shall be calculated for Rotterdam.
5. The Council, acting by a qualified majority on a proposal from the Commission, shall determine:
 - (a) the rules for fixing threshold prices for products referred to in paragraph 3 and the standard quality for products referred to in paragraphs 2 and 3;
 - (b) before 15 March of each year, for the following marketing year, the threshold prices for products referred to in paragraphs 1 and 2.
6. Threshold prices for products referred to in paragraph 3 shall be fixed before 15 March of each year for the following marketing year in accordance with the procedure laid down in Article 26.

Article 6

1. The target prices, intervention prices and threshold prices shall be the subject of month-by-month increases extending over all or part of the marketing year.
2. The Council, acting by a qualified majority on a proposal from the Commission, shall determine before 15 March of each year, for the following marketing year, the number and amount of the increases and in what months they are to apply.

Article 7

1. Throughout the marketing year the intervention agencies designated by Member States shall be obliged to buy in cereals mentioned in Article 4 which are offered to them and have been harvested in the Community, provided that the offers comply with conditions, in particular in respect of quality and quantity, to be determined in accordance with paragraph 5.
2. The intervention agencies shall buy in at the intervention price for the marketing centre at which the cereal is offered, under conditions determined in accordance with paragraphs 4 and 5. If the quality of the cereal is different from the standard quality for which the intervention price has been fixed, the intervention price shall be adjusted in accordance with scales of price increases and reductions. These scales may also include special optional price increases.

in respect of barley of brewery quality and, in certain regions, in respect of rye of bread-making quality.

3. Under conditions to be laid down in accordance with paragraphs 4 and 5, the intervention agencies:

- shall offer for sale, for export to third countries or for supply to the internal market, the product bought in under the provisions of paragraph 1;
- may likewise offer for sale for the same purposes common wheat and also rye of bread-making quality in respect of which the special price increase has been granted, after having rendered such cereals unfit for human consumption by denaturing.

They may also grant a denaturing premium for common wheat.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules governing intervention and denaturing.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 26, in particular as regards

- the minimum quality and quantity required of each cereal for it to be eligible for intervention;
- the scales of price increases and reductions applicable for the purposes of intervention;
- the procedures and conditions for taking over by intervention agencies;
- the procedures and conditions for disposal of produce by intervention agencies;
- the conditions for granting denaturing premiums and the amount thereof.

Article 8

The Council, acting by a qualified majority on a proposal from the Commission, shall determine in what circumstances intervention agencies may take special intervention measures to prevent substantial purchases being made in pursuance of Article 7(1) in certain regions of the Community.

The nature and application of such intervention measures shall be determined in accordance with the procedure laid down in Article 26.

Article 9

1. A carry-over payment may be granted in respect of stocks remaining at the end of the marketing year of common wheat, durum wheat, rye, barley and maize harvested in the Community, and of malt.

However, for Member States in which the new harvest is usually available before the beginning of the new marketing year, it may be decided in accordance with the procedure referred to in paragraph 6, that the stock qualifying for the payment at the end of the marketing year may not be greater than that declared at an earlier date, to be determined each year.

Before 15 March of each year the Council, acting by a qualified majority on a proposal from the Commission, shall decide whether a carry-over payment should be granted in respect of one or more of the abovementioned products and, if so, to what extent.

2. For maize, any carry-over payment granted shall be in respect solely of quantities in stock in areas of surplus production.

3. The carry-over payment for each cereal shall not exceed the difference between the target price valid for the last month of the marketing year and that valid for the first month of the next marketing year.

4. The carry-over payment shall be granted only if stocks reach a minimum quantity.

5. The amount of the carry-over payment shall be fixed in accordance with the procedure referred to in paragraph 1.

6. Detailed rules for the application of this Article, in particular the minimum quantity qualifying for a carry-over payment and the categories of those entitled to it, shall be adopted in accordance with the procedure laid down in Article 26.

Article 10

Where the intervention price for durum wheat for the marketing centre of the area with the largest surplus is lower than the guaranteed minimum price, aid shall be granted for the production of this cereal. Such aid, of a uniform amount for the whole Community, shall be equal throughout the marketing year to the difference between the guaranteed minimum price and the abovementioned intervention price at the beginning of the marketing year.

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt detailed rules for the application of this Article.

Article 11

1. A production refund may be granted:
 - (a) for maize and common wheat used in the Community for the manufacture of starch;
 - (b) for potato starch;
 - (c) for maize groats and meal (gritz) used in the Community for the manufacture of glucose by direct hydrolysis;

2. The payment of the production refund for potato starch shall be subject to the condition that the processor has paid a minimum free-at-works price for the potatoes.

The minimum price to be received by the producer shall consist of the minimum price to be paid by the starch manufacturer plus an amount corresponding to the production refund.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt rules for the application of this Article and fix the amount of the production refund.

TITLE II

Trade with third countries

Article 12

1. Imports into the Community or exports therefrom of any of the products specified in Article 1 shall be subject to the submission of an import or export licence to be issued by Member States to any applicant irrespective of the place of his establishment in the Community.

Where the levy or refund is fixed in advance, the advance fixing shall be noted on the licence which serves as a supporting document for such advance fixing.

The import or export licence shall be valid throughout the Community.

The issue of such licences shall be conditional on the provision of security guaranteeing that importation or exportation is effected during the period of validity of the licence; the deposit shall be forfeited in whole or in part if the transaction is not effected, or is only partially effected, within that period.

2. The period of validity of licences and other detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 26.

Article 13

1. A levy equal for each product to the threshold price less the cif price shall be charged on imports of the products specified in Article 1(a), (b) and (c).

2. The cif prices shall be calculated for Rotterdam on the basis of the most favourable purchasing opportunities on the world market, determined for each product on the basis of the quotations and prices of that market after adjustment for any differences in quality as compared with the standard quality for which the threshold price is fixed.

Differences in quality shall be expressed in coefficients of equivalence.

3. Where free quotations on the world market are not a determining factor for the offer price and where this price is lower than world market prices, a special cif price calculated on the basis of the offer, price shall be substituted, solely for the imports in question, for the cif price.

4. Detailed rules for the application of this Article, and in particular the coefficients of equivalence, the rules for determining cif prices and the margin within which variations in the factors used for calculating the levy do not require any alteration of the levy, shall be adopted in accordance with the procedure laid down in Article 26.

5. The Commission shall fix the levies provided for in this Article.

Article 14

1. A levy shall be charged on the importation of products referred to in Article 1(d), consisting of two components:
 - A. A variable component which may be fixed and revised on a flat-rate basis,
 - (a) corresponding, in respect of products processed from basic products coming within Article 1(a), to the incidence on their prime cost of the levies on the basic product in question;
 - (b) increased, where appropriate, for processed products which contain both basic products coming within Article 1(a) and other products, by the amount of the incidence on their prime cost of the levies or customs duties charged on the other products;
 - (c) fixed, for products which do not contain any basic products coming within Article 1(a), with reference to market conditions for those Article 1 products which are in competition with them;
 - B. A fixed component designed to protect the processing industry.
2. Where actual offers from third countries of products specified in Article 1(d), do not correspond to the price which results from the price of basic products used in their manufacture plus processing costs, an amount fixed in accordance with the procedure laid down in Article 26 may be added to the levy fixed in accordance with paragraph 1.
3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt rules for the application of this Article.
4. The Commission shall fix the levies provided for in paragraph 1.

Article 15

1. The levy to be charged shall be that applicable on the day of importation.

However, as regards imports of products listed in Article 1(a), and (b), the levy applicable on the day on which application for a licence is made, adjusted for the threshold price which will be in force during the month of importation, shall be applied to an import to be effected during the period of validity of the licence, if the applicant so requests when applying for the licence. In this case, a premium, fixed at the same time as the levy, shall be added to the levy.

3. A decision may be taken in accordance with the procedure laid down in Article 26 to apply the provisions of paragraph 2, in whole or in part, to any of the products specified in Article 1(c) and (d).

If the carry-over payment envisaged by Article 9 is not granted for malt, and if advance fixing of the levy has been prescribed for this product, the levy shall be adjusted during the first two months of the marketing year for the threshold price in force during the last month of the preceding marketing year.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall lay down rules for fixing the scale of premiums and adopt measures to be applied in exceptional circumstances.

5. Detailed rules for advance fixing shall be adopted in accordance with the procedure laid down in Article 26.

6. The scale of premiums shall be adopted by the Commission.

7. Where examination of the market situation shows that the application of the provisions concerning the advance fixing of the levy has given rise or may give rise to difficulties, a decision may be taken, in accordance with the procedure laid down in Article 26, to suspend the application of those provisions for the period strictly necessary.

In cases of extreme urgency, the Commission may, after examination of the situation on the basis of all the information available to it, decide to suspend advance fixing for a maximum of three working days.

Applications for licences accompanied by applications for advance fixing lodged during the period of suspension shall be rejected.

Article 16

1. To the extent necessary to enable products specified in Article 1 to be exported in the state referred to therein or in the form of goods specified in Annex B on the basis of quotations or prices for those products on the world market, the difference between those quotations or prices and prices in the Community may be covered by an export refund.

2. The refund shall be the same for the whole Community. It may be varied according to use or destination.

The refund shall be granted on application.

When the refund is being fixed particular account shall be taken of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements.

Refunds shall be fixed at regular intervals in accordance with the procedure laid down in Article 26.

Where necessary the Commission may, at the request of a Member State or on its own initiative, alter the refunds in the intervening period.

3. The amount of the refund applicable to the export of products specified in Article 1 and of goods specified in Annex B shall be that applicable on the day of exportation.

4. However, in the case of products specified in Article 1(a) and (b), the export refund applicable on the day on which application for the licence is made, adjusted for the threshold price which will be in force during the month of exportation, shall be applied, if the applicant so requests when applying for the licence, to an export to be effected during the period of validity of the licence.

A corrective amount may be fixed. It shall be applied to refunds fixed in advance. The corrective amount shall be fixed at the same time as the refund according to the same procedure; however, where necessary the Commission may at the request of a Member State or on its own initiative, alter the corrective amounts in the intervening period.

The provisions of the preceding subparagraphs may be applied in whole or in part, to any of the products specified in Article 1(c) and (d) and to any products specified in Article 1 which are exported in the form of goods specified in Annex B.

If the carry-over payment envisaged by Article 9 is not granted for barley and malt and if advance fixing of the refund has been prescribed for malt, the refund on exports, effected during the first two months of the marketing year, of malt in stock at the end of the preceding marketing year or made from barley in stock at that time shall be adjusted for the threshold price in force during the last month of the preceding marketing year.

5. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for granting export refunds and criteria for fixing the amount of such refunds.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 26.

7. Where examination of the market situation shows that the application of the provisions concerning the advance fixing of the export refund has given rise or may give rise to difficulties, a decision may be taken, in accordance with the procedure laid down in Article 26, to suspend the application of those provisions for the period strictly necessary.

In cases of extreme urgency, the Commission may, after examination of the situation on the basis of all the information available to it, decide to suspend advance fixing for a maximum of three working days.

Applications for licences accompanied by applications for advance fixing lodged during the period of suspension shall be rejected.

Article 17

1. To the extent necessary for the proper working of the common organization of the market in cereals, the Council, acting by a qualified majority on a proposal from the Commission, may prohibit in whole or in part the use of inward processing arrangements:

- in respect of products specified in Article 1 which are intended for the manufacture of products specified in Article 1(c) and (d);
- and, in special cases, in respect of products specified in Article 1 which are intended for the manufacture of goods specified in Annex B.

Article 18

1. Without prejudice to the provisions of Regulation (EEC) ⁽¹⁾, the general rules for the interpretation of the Common Customs Tariff and the special rules for its application shall apply to the tariff classification of products covered by this Regulation; the tariff nomenclature resulting from application of this Regulation shall be incorporated in the Common Customs Tariff.

2. Save as otherwise provided in this Regulation or where derogation therefrom is decided by the Council, acting by a qualified majority on a proposal from the Commission, the following shall be prohibited:

- the levying of any customs duty or charge having equivalent effect;
- the application of any quantitative restriction or measure having equivalent effect.

The restriction of import or export licences to a specified category of those entitled to receive them shall be considered to constitute a measure having effect equivalent to a quantitative restriction.

(1) See page of the present Official Journal.

Article 19

1. When the quotations or prices on the world market for one or more of the products referred to in Article 2 reach the level of Community prices, and when that situation is likely to continue and to deteriorate, thereby disturbing or threatening to disturb the Community market, appropriate measures may be taken.
2. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the general rules for the application of this Article.
3. The detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 26.

Article 20

1. If by reason of imports or exports the Community market in one or more of the products specified in Article 1 experiences or is threatened with serious disturbances which may endanger the objectives set out in Article 39 of the Treaty, appropriate measures may be applied in trade with third countries until such disturbance or threat of disturbance has ceased.

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt rules for the application of this paragraph and define the cases in which and the limits within which Member States may take protective measures.

2. If the situation envisaged in paragraph 1 arises, the Commission shall, at the request of a Member State or on its own initiative, decide upon the necessary measures; the measures shall be communicated to the Member States and shall be immediately applicable. If the Commission receives a request from a Member State, it shall take a decision thereon within twenty-four hours following receipt of the request.

3. Measures decided upon by the Commission may be referred to the Council by any Member State within three working days following the day on which they were communicated. The Council shall meet without delay. It may amend or repeal the measure in question in accordance with the voting procedure laid down in Article 43(2) of the Treaty.

TITLE III

General provisions

Article 21

No goods specified in Article 1 which are manufactured or obtained from products to which Article 9(2) and Article 10(1) of the Treaty do not apply shall be admitted to free circulation within the Community.

Article 22

Save as otherwise provided in this Regulation, Articles 92 to 94 of the Treaty shall apply to the production of and trade in products specified in Article 1.

Article 23

1. When barley, oats, maize, grain sorghum or millet are imported by sea into the Italian Republic, that Member State may reduce the levy.

The amount of the reduction in the levy shall be fixed by the Council, acting by a qualified majority on a proposal from the Commission, at the same time as the prices for each marketing year¹.

This reduction may be made only if an equal subsidy is granted for deliveries of the same cereals by sea from Member States unless this subsidy has, at the request of the sender of the cereals, been paid to him by the Member State of origin which shall inform the Italian Republic forthwith. The Italian Republic shall keep all Member States informed at all times of the amount of subsidy in force.

2. If Italy makes use of the power conferred by paragraph 1, the Council, acting by a qualified majority on a proposal from the Commission, shall take the measures necessary to prevent discrimination between Community producers and distortions of competition in trade between denatured/^{common}wheat, on the one hand, and the cereals referred to in paragraph 1, in particular barley, on the other.

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 26.

Article 24

Member States and the Commission shall communicate to each other the information necessary for implementing this Regulation and for complying with the international obligations concerning cereals. Rules for the communication and distribution of such information shall be adopted in accordance with the procedure laid down in Article 26.

Article 25

1. There is hereby set up a Management Committee for Cereals (hereinafter called the "Committee") consisting of representatives of the Member States with a representative of the Commission as Chairman.

2. Within the Committee the votes of Member States shall be weighted in accordance with Article 148 (2) of the Treaty. The Chairman shall not vote.

¹See Regulation (EEC) No 1359/73 of 15 May 1973, OJ No L 141. 28.5.1973, p. 32

Article 26

1. Where the procedure laid down in this Article is to be followed, matters shall be referred to the Committee by the Chairman, either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on the draft within a time limit set by the Chairman according to the urgency of the matter. Opinions shall be delivered by a majority of forty-one votes.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall forthwith be communicated by the Commission to the Council. In that event the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision with one month.

Article 27

The Committee may consider any other question referred to it by its Chairman either on his own initiative or at the request of the representative of a Member State.

Article 28

1. Obligations arising under the Food Aid Conventions shall be met by the purchase on the Community market of the products specified in Article 1 or by the use of cereals held by intervention agencies.

2. The criteria for mobilizing the products, in particular those governing purchase on the Community market or the use of cereals held by intervention agencies, shall be adopted by the Council, acting by a qualified majority on a proposal from the Commission.

3. In exceptional circumstances products specified in Article 1 may be mobilized by purchases on the world market. Detailed rules for the application of this paragraph shall be adopted in accordance with the procedure laid down in Article 26.

Article 29

This Regulation shall be so applied that appropriate account is taken, at the same time, of the objectives set out in Articles 39 and 110 of the Treaty.

Article 30

1. Council Regulation (EEC) No 120/67¹ of 13 June 1967 on the common organization of the market in cereals, as last amended by Council Regulation (EEC) No 665/75² is hereby repealed.
2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

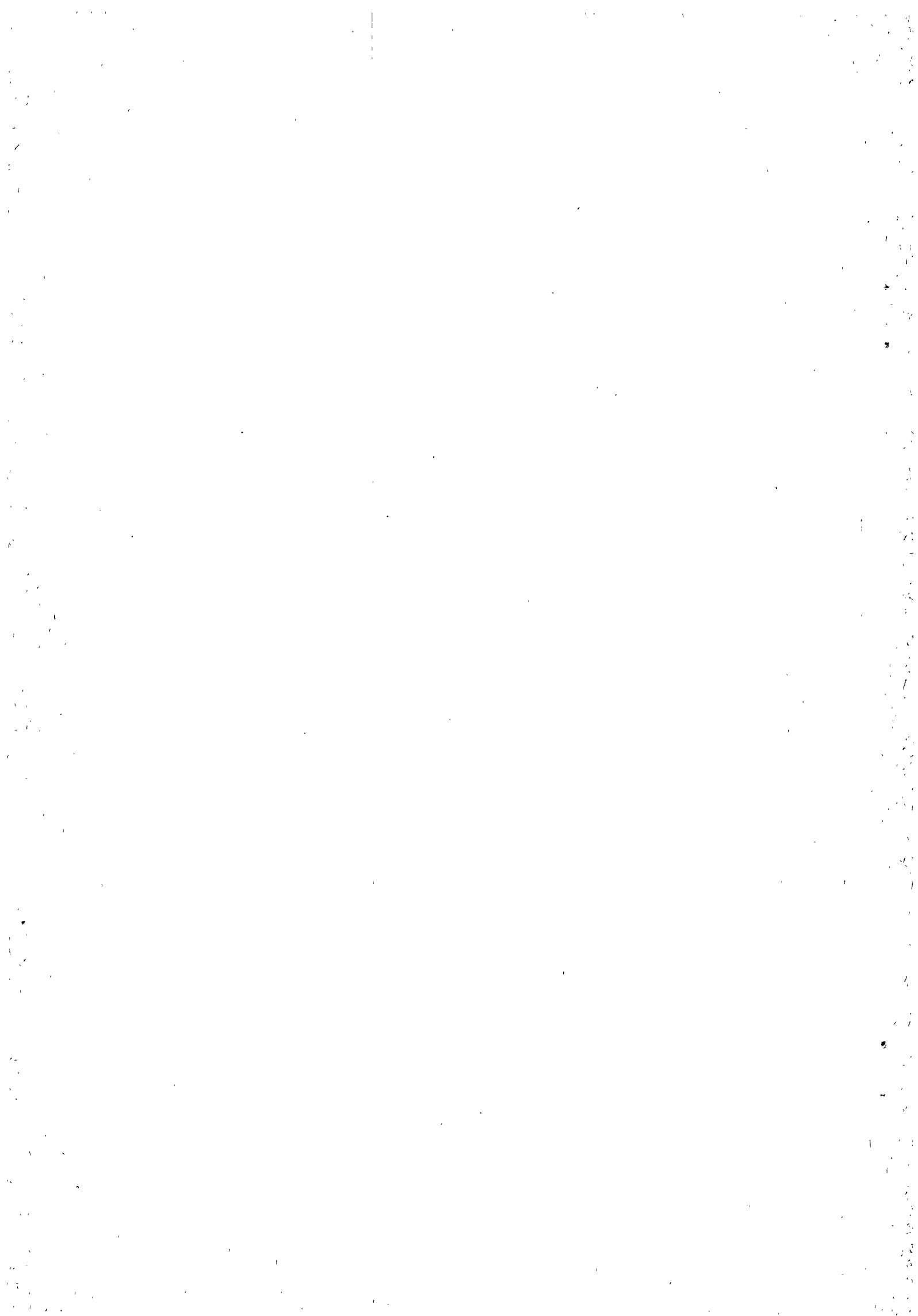
A table is provided in the Annex^C for the purposes of correlating references to the preamble and Articles of that Regulation with those of this Regulation.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

¹OJ No 117, 13.6.1967, p. 2269/67.
²OJ No L 72, 20.3.1975, p. 14



ANNEX A

CCT heading No	Description of goods
07.06 A	Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes
ex 11.01	Cereal flours: C. Barley flour D. Oat flour E. Maize flour G. Buckwheat flour H. Millet flour IJ. Canary seed flour K. Grain sorghum flour L. Other
ex 11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground: ex A. Cereal groats and cereal meal, except groats and meal of wheat and rice B. Hulled grains (shelled or husked), whether or not sliced or kibbled C. Pearled grains D. Grains not otherwise worked than kibbled ex E. Rolled grains; flaked grains, except flaked rice grains ex F. Pellets, except rice pellets G. Germ of cereals, whole, rolled, flaked or ground
11.06	Flours and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06
11.07	Malt, roasted or not
ex 11.08 A	Starches: I. Maize starch III. Wheat starch IV. Potato starch V. Other

CCT heading No	Description of goods
11.09	Wheat gluten, whether or not dried
17.02 B	Glucose and glucose syrup: II. Other
17.05 B	Glucose and glucose syrup, flavoured or coloured
23.02 A	Bran, sharps and other residues derived from the sifting, milling or working of cereals
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product exceeding 40% by weight
23.07	Sweetened forage; other preparations of a kind used in animal feeding: ex B. Other, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 17.05 B, or milk products (falling within headings or subheadings Nos 04.01, 04.02, 04.03, 04.04, 17.02 A or 17.05 A), except preparations and feeding-stuffs containing 50% or more by weight of milk products falling within one or more of the abovementioned headings or subheadings

ANNEX B

CCT heading No	Description of goods
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel:
	B. Glucose and glucose syrup:
	I. Containing, in the dry state, 99% or more by weight of the pure product
17.04	Sugar confectionery, not containing cocoa:
	B. Chewing gum
	C. White chocolate
	D. Other
ex 18.06 C	Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa
19.01	Malt extract
19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa
19.03	Macaroni, spaghetti and similar products
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
21.01	Roasted chicory and other roasted coffee substitutes; extracts, essences and concentrates thereof:
	A. Roasted chicory and other roasted coffee substitutes:
	II. Other (than roasted chicory)
	B. Extracts, essences and concentrates of the products described under subheading A:
	II. Other (than extracts, essences and concentrates of roasted chicory)
ex 21.05	Soups and broths in liquid, solid or powder form
21.07	Food preparations not elsewhere specified or included
22.03	Beer made from malt

CCT heading No	Description of goods
29.04	<p>Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>C. Polyhydric alcohols:</p> <p>III. Sorbitel</p>
29.10	<p>Acetals and hemiacetals and single or complex oxygen-function acetals and hemi-acetals, and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>ex B. Other:</p> <p>- Methylglucosides</p>
29.14	<p>Monocarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>ex A. Saturated acyclic monocarboxylic acids:</p> <p>- Esters of sorbitel</p> <p>ex B. Unsaturated acyclic monocarboxylic acids:</p> <p>- Esters of sorbitel</p>
29.16	<p>Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>A. Carboxylic acids with alcohol function:</p> <p>V. Gluconic acid and its salts and esters</p> <p>ex VIII. Other:</p> <p>Glyceric acid, glycolic acid, saccharonic acid, isosaccharonic acid, heptasaccharic acid and their salts and esters</p>
29.35	<p>Heterocyclic compounds; nucleic acids:</p> <p>ex Q. Other:</p> <p>Anhydric compounds of sorbitel (for example, sorbitans), excluding maltel and isemaltel</p>
29.43	<p>Sugars, chemically pure, other than sucrose, glucose and lactose; sugar ethers and sugar esters, and their salts, other than products of headings Nos 29.39, 29.41 and 29.42:</p> <p>ex B. Other:</p> <p>- Sorbose and its salts and esters</p>
35.05	<p>Dextrins and dextrin glues; soluble or roasted starches; starch glues</p>

CCT heading No	Description of goods
35.06	<p>Prepared glues not elsewhere specified or included; products suitable for use as glues put up for sale by retail as glues in packages not exceeding a net weight of 1 kg:</p> <p>-- with a base of sodium silicate emulsions</p>
38.12	<p>Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries:</p> <p>A. Prepared glazings and prepared dressings:</p> <p>I. With a basis of amylaceous substances</p>
38.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:</p> <p>Q. Foundry core binders based on synthetic resins</p> <p>ex T. Other:</p> <p>-- Sorbitol cracking products</p>
39.02	<p>Polymerisation and copolymerisation products (for example, polyethylene, polytetrahalo-ethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone - indene resins):</p> <p>ex C. Other:</p> <p>-- Adhesives with a base of resin emulsions</p>
39.06	<p>Other high polymers, artificial resins and artificial plastic materials, including alginic acid, its salts and esters; linexyn:</p> <p>ex B. Other, excluding linexyn</p>

Correlation table

Regulation No 120/67/EEC

Article 22^a

This Regulation

Article 28

REGULATION (EEC) No. OF THE COUNCIL
of
on aids for the production of and trade
in potato starch and potatoes for starch
manufacture

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Articles 42 and 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the system of production refunds to be granted in respect of
potato starch is governed by Council Regulation (EEC) No. (1)
of on the common organization of the market in cereals;

Whereas operation of the system of prices and levies in respect of potato
starch requires that the provisions of the Treaty which allows aids to
be assessed and action to be taken against those which are incompatible
with the common market be extended to aids granted for the production
of and trade in potatoes for starch manufacture, without prejudice to the
provisions which will be made for the common organization of the market
in potatoes,

HAS ADOPTED THIS REGULATION:

Article 1

If the system of levies on potato starch is applied, Articles 92, 93 and
94 of the Treaty shall apply to the production of and trade in potatoes for
starch manufacture.

(1) See p of this Official Journal

Article 2

1. Council Regulation No 56⁽²⁾ on aids for the production of and trade in potato starch and potatoes for starch manufacture, as amended by Regulation No 120/67/EEC⁽³⁾, is hereby repealed.
2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

Article 3

This Regulation shall enter into force on 1 August 1975.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

(2) OJ No 54, 2.7.1962, p. 1591/62
(3) OJ No 117, 19.6.1967, p. 2269/67

REGULATION (EEC) No OF THE COUNCIL
of

on the import levies on mixtures of cereals,
rice and broken rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas, to ensure the proper working of the levy system applicable to
mixtures of cereals, rice and broken rice from third countries introduced
by Council Regulation (EEC) No (1) of on the common
organization of the market in cereals and Council Regulation No 359/67/EEC⁽²⁾
of 25 July 1967 on the common organization of the market in rice, as last
amended by Regulation (EEC) No 663/75⁽³⁾ suitable rules should be applied
to trade in mixtures of cereals, rice and broken rice;

Whereas the levy on such mixtures results from their tariff classification,
which is normally determined in accordance with the general rules for
the interpretation of the Common Customs Tariff;

Whereas, in the case of mixtures of cereals, rice and broken rice, the
tariff classification may give rise to difficulties if determined in
accordance with these rules; whereas in fact such classification sometimes
results in a low levy being charged on mixtures which, however, contain
a substantial proportion of products subject to a high levy;

Whereas, in order to avoid such difficulties, special provisions should
be adopted for determining the levy on mixtures of cereals, rice and
broken rice,

(1) See p of this Official Journal,
(2) OJ No 174, 31.7.1967, p. 1
(3) OJ No 72, 20.3.1975, p. 18

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levy on mixtures composed of two of the cereals specified in Article 1(a) and (b) of Regulation (EEC) No shall be that applicable to:

- the main component by weight, if such component represents 90% or more by weight of the mixture;
- the component subject to the higher levy, where neither of the two components represents 90% or more by weight of the mixture.

2. Where a mixture is composed of more than two of the cereals specified in Article 1(a) and (b) of Regulation (EEC) No , and if several cereals each represent more than 10% by weight of the mixture, the levy on this mixture shall be the highest of the levies applicable to these cereals, even where the levy is the same for more than one of them.

Where only one cereal represents more than 10% by weight of the mixture, the levy shall be that applicable to this cereal.

3. In respect of mixtures composed of cereals specified in Article 1(a) and (b) of Regulation (EEC) No which are not covered by the above provisions, the levy applied shall be the highest of the levies applicable to the cereals included in the mixture, even where the levy is the same for more than one of them.

Article 2

1. The levy on mixtures composed of one or more of the cereals specified in Article 1(a) and (b) of Regulation (EEC) No and of one or more of the products specified in Article 1(a) and (b) of Regulation No 359/67/EEC shall be that applicable to the component subject to the highest levy.

2. The levy on mixtures composed either of rice of several different groups or processing stages or of rice of one or more different groups or processing stages and of broken rice shall be that applicable to:

- the main component by weight, if such component represents 90% or more by weight of the mixture;
- the component subject to the highest levy, where none of the components represents 90% or more by weight of the mixture.

Article 3

Where the method of determining the levy laid down in Articles 1 and 2 cannot be applied, the levy on the mixtures covered by this Regulation shall be that derived from the tariff classification of such mixtures.

Article 4

1. Council Regulation No 156/66/EEC⁽¹⁾ of 25 October 1966 on the levies on mixtures of cereals, rice and broken rice is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

Article 5

This Regulation shall enter into force on 1 August 1975.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

(1) OJ No 192, 27.10.1966, p. 3273/66

REGULATION (EEC) No OF THE COUNCIL
of
on glucose and lactose

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 235 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas, in order to avoid technical difficulties as regards customs treatment, the Council Decision of 12 December 1964⁽¹⁾ on the introduction of some amendments to the Common Customs Tariff provided for glucose, glucose syrup, lactose and lactose syrup to fall within one heading and for chemically pure glucose and lactose to fall within another;

Whereas, however, glucose and lactose falling respectively within subheadings 17.02 B II and 17.02 A II are listed in Annex II to the Treaty and are therefore subject to the system of trade with third provided for under the common organizations of the market to which they belong, while chemically pure glucose and lactose are subject to the system of customs duties, the economic incidence of which can be appreciably different;

Whereas this situation creates difficulties which are the greater in that the products in question, whatever their degree of purity, are derived from the same basic products; whereas the criterion for customs classification between those products which are and those which are not chemically pure is a 99% degree of purity; whereas products with a slightly higher or slightly lower degree of purity may have the same economic use; whereas, therefore, the application of different systems leads to distortions of competition which are all the greater because of interchangeability;

(1) OJ No 220, 31.12.1964, p. 3741/64

Whereas the only solution to these difficulties is to follow the Council Decision of 12 December 1964 by giving the products the same economic treatment whatever their degree of purity or, to the extent that this would appear adequate, by harmonising the treatment given to the two groups of products;

Whereas the Treaty does not specifically provide the authority needed to take such action; whereas in these circumstances the necessary measures should be taken on the basis of Article 235 of the Treaty; whereas the most appropriate measures are to extend to chemically pure glucose the treatment given to other glucose under Council Regulation (EEC) No (2) of on the common organization of the market in cereals and to extend to chemically pure lactose the treatment given to other lactose under Council Regulation (EEC) No 804/68⁽³⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 465/75⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The treatment given to glucose and glucose syrup falling within subheading 17.02 B II of the Common Customs Tariff under Regulation (EEC) No and under the provisions adopted for the application of that Regulation shall be extended to glucose and glucose syrup falling within subheading 17.02 B I of the Common Customs Tariff.

Article 2

The treatment given to lactose and lactose syrup falling within subheading 17.02 A II of the Common Customs Tariff under Regulation (EEC) No 804/68 and under the provisions adopted for the application of that Regulation shall be extended to lactose and lactose syrup falling within subheading 17.02 A I of the Common Customs Tariff.

(2) OJ No L
(3) OJ No L 148, 28.6.1968, p. 13
(4) OJ No L 52, 28.2.1975, p. 8

Article 3

When the treatment given to glucose and glucose syrup or to lactose and lactose syrup falling respectively within subheadings 17.02 B II and 17.02 A II of the Common Customs Tariff is amended pursuant to Article 43 of the Treaty or in accordance with procedures established for the application of that Article, such amendments shall extend as appropriate to glucose and glucose syrup or to lactose and lactose syrup falling respectively within subheadings 17.02 B I and 17.02 A I of the Common Customs Tariff, unless, in accordance with the same procedures, other measures are taken for the harmonising of the treatment applicable to these products with the treatment applicable to those already mentioned.

Article 4

1. Council Regulation No 189/66/EEC⁽⁵⁾ of 24 November 1966 on glucose and lactose is hereby repealed.
2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

Article 5

This Regulation shall enter into force on

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

(5) OJ No 218, 28.11.1966, p. 3713/66

4

Proposal for consolidation of Regulation (EEC) No. 768/69

The Commission proposes to the Council that, as part of the consolidation of all acts of the Council relating to the cereals' sector, it should also proceed to adopt the text of Council Regulation (EEC) No 768/69 of 22 April 1969 fixing standard qualities for common wheat, rye, barley, maize and durum wheat (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text:

<u>References</u>	<u>Former text</u>	<u>New text</u>
articles 2,3 and 5 footnote	The intervention prices (1) OJ No 117, 19.6.1969, p. 2269/67 (2) OJ No L 41, 18.12.1969, p. 1	The intervention price See page of the present Official Journal
Article 1	The text of article 7 shall be replaced by:	1. Council Regulation (EEC) No 768/69 of 22 April 1969 fixing standard qualities for common wheat, rye, barley, maize and durum wheat (1), is hereby repealed. 2. All references to the Regulation repealed by virtue of paragraph shall be treated as references to this Regulation.

Article 8

This Regulation shall enter
into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference setting out their new number in accordance with the following table:

<u>Relevant provisions</u>	<u>Reference to be replaced</u>
2nd visa	120/67/EEC 13 June 1967 as last amended by Council Regulation (EEC) No. 289/69 of 17 February 1969
article 6	120/67/EEC

(1) OJ No L 100, 28.4.1969, p. 10

5

Proposal for consolidation of Regulation (EEC) n° 666/75

The Commission proposes the Council that, as part of the consolidation of all acts of the Council relating to cereales' sector, it should also proceed to adopt the text of Council Regulation (EEC) n° 666/75 of 4 March 1975 fixing cereal prices for the 1975/76 marketing year (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text :

References

Former text

New text

Sole article

Article 1

Article 2

1. Council Regulation (EEC) n° 666/75 of 4 March 1975 fixing cereal prices for the 1975/76 marketing year (1), is hereby repealed.

2. All references to the Regulation repealed by virtue of paragraph 1 shall be treated as references to this Regulation.

Article 3

This Regulation shall enter into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference setting out their new number in accordance with the following table :

Relevant provisions

Reference take replaced

2e visa

120/67/EEC 13 June 1967 as last amended by Regulation (EEC) n° 665/75 (2)

REGULATION (EEC) No OF THE COUNCIL
of
laying down rules for deriving intervention
prices for common wheat and for determining certain
marketing centres for cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No (1) of
on the common organisation of the market in cereals, and in particular
Article 4(5) thereof;

Having regard to the proposal from the Commission;

Whereas Article 4(1) of Regulation (EEC) No provides that derived
intervention prices for common wheat should be fixed at a level which will
allow the free movement of cereals within the Community in accordance with
the needs of the market; whereas to this end intervention prices should be
fixed in such a way that the differences between them correspond to the
disparities in prices to be expected in a normal harvest under natural conditions
of price formation on the market;

Whereas the level of market prices is not determined solely by the cost
of transport to Duisburg, the marketing centre in the area of greatest deficit
in the north-west of the Community; whereas account should also be taken of
the geographical situation of the surplus and deficit areas of the Community,
the requirements of other consumer areas, imports from third countries and
export possibilities;

Whereas derived intervention prices for common wheat in the different
marketing centres should be fixed at such a level that cereals coming from
other areas cannot be offered at a price below that level,

Whereas the calculation of these derived intervention prices should be made
with reference to the most favourable means of transport and existing tariffs;
whereas, moreover, where waterway freight charges are not based on a tariff,
the lowest freight charges recorded over a reference period should be taken
into account;

(1) See page of this Official Journal

- * -

Whereas intervention prices for the marketing centres to be determined by the Commission must not lead to disturbances in the normal pattern of trade;

Whereas, to ensure the proper working of the intervention system, the selection of marketing centres other than the principal centres should be based on a geographical situation and storage facilities which allow the assembly and disposal of large quantities of cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For the purpose of fixing derived intervention prices for common wheat, market prices shall be considered as being established under natural conditions of price formation as follows:

- in deficit areas whose supplies depend to a certain extent on imports, on the basis of the price at which imported cereals are offered in those areas;
- in production areas whose surpluses contribute to a certain extent to the supply of the above-mentioned areas, on the basis of the above-mentioned price and the cost of transport to those areas;
- in ports of shipment, on the basis of the price in the main production area for exports and the cost of transport to the main port of shipment for that area;
- in other production areas whose surpluses are likely to be exported to a certain extent, on the basis of the price ruling in the ports of shipment and the cost of transport to those ports;
- in deficit areas other than those mentioned above, on the basis of prices in the surplus area best placed from the freight point of view, and the cost of transport to the deficit area.

Article 2

Where transport costs enter into the calculation of derived intervention prices for common wheat, they shall be based on the most favourable means of transport or combination of means of transport and on existing tariffs.

Where inland waterway or sea freight charges are not based on a tariff, the lowest average of these freight charges recorded over a period of two months selected from the twelve months preceding the month during which the prices are fixed shall be taken into account.

Article 3

In all cases, derived intervention prices for common wheat shall in no case be fixed above the basic intervention price.

Article 5

When the intervention price for maize provided for in Article 4(2) of Regulation (EEC) No _____ is calculated, the basic intervention price which would have been fixed for the Community if Article 4(1) of that Regulation had applied shall be equal to the target price for maize reduced by the difference between the target price and the basic intervention price for barley for the marketing year in question.

Article 6

Derived intervention prices for common wheat for the marketing centres referred to in Article 4(5) (a) of Regulation (EEC) No _____ shall be fixed in such a way that they cannot disturb the normal pattern of trade.

Article 7

The marketing centres to be determined pursuant to Article 4(5)(a) of Regulation (EEC) No _____ must meet one of the following conditions:

- (a) be located in regions having an appreciable production of cereals which considerably exceeds the local demand either regularly or occasionally;
- (b) have substantial storage facilities;
- (c) be specially important for marketing the goods both inside and outside the Community.

Article 8

1. Of the centres situated in regions of the kind mentioned in Article 7(a), only those centres shall be considered which have:

- (a) storage facilities with technical equipment permitting the taking over processing and delivery of a sufficiently large quantity of cereals on a continuous basis;
- (b) transport connections favourable to the taking over and, more important, the disposal of cereals.

2. Of the centres meeting the conditions set out in Article 7(b) or (c), only those shall be considered whose storage facilities, technical equipment and advantageous geographical situation permit the assembly and, more important, the disposal of large homogeneous quantities of cereals.

Article 9

Each year the Council, acting on a report from the Commission, shall examine the results of the application of the rules laid down in the preceding Articles.

Article 10

1. Council Regulation No 131/67/EEC⁽¹⁾ of 13 June 1967 laying down rules for deriving intervention prices and for determining certain marketing centres for cereals, as last amended by the Act of Accession⁽²⁾, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

A table is provided in the Annex for the purposes of correlating references to the preamble and Articles of that Regulation with those of this Regulation.

Article 11

This Regulation shall enter into force on 1 August 1975.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council,
The President

(1) OJ No 120, 21 June 1967, p. 2367/67
(2) OJ No L 73, 27 March 1972, p. 14

ANNEX

Correlation table

Regulation No 131/67/EEC

This Regulation

Article 8

Article 7

Article 9

Article 8

Article 10

Article 9

REGULATION (EEC) No OF THE COUNCIL

of

fixing standard qualities for certain cereals
and categories of flour, groats and meal and
the rules for fixing the threshold prices for
these categories of products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No (1) of
on the common organisation of the market in cereals, and in particular
Article 5(5) (a) thereof;

Having regard to the proposal from the Commission;

Whereas the threshold prices for oats, grain sorghum, millet, buckwheat,
canary seed and the kinds of flour, groats and meal specified in Article 1(c)
of Regulation (EEC) No should correspond to specific standard
qualities;

Whereas the standard qualities for which those prices are fixed should
correspond as far as possible to the average qualities of those cereals
harvested in the Community;

Whereas, for the purposes of this Regulation, definitions should be established
of matter other than basic cereals of unimpaired quality, a standard method
for determining that matter introduced and the method of testing for moisture
content adapted to the latest techniques; whereas, to that end, the
provisions to be adopted should be those set out in Annexes I and II to
Council Regulation (EEC) No (2) of
fixing the standard qualities for common wheat, rye, barley, maize and
durum wheat;

Whereas the threshold prices for flour, groats and meal should be so fixed
as to enable the target prices for basic cereals to be attained and the

(1) See p. of this Official Journal
(2) See p. of this Official Journal

protection of the processing industry to be ensured;

Whereas these objectives may be attained by fixing a threshold price which allows for the cost of manufacturing these products and an adequate level of protection for the processing industry;

Whereas manufacturing costs may be determined by adding to the value of the cereal an amount representing the milling margin and by subtracting from the total thus obtained, where appropriate, a fixed amount for the value of meal or flour of inferior quantity and other residues of milling;

Whereas, however, when fixing the threshold price for groats and meal of common wheat, a fixed ratio representing the relationship between the price of wheat flour and the prices of those products on Community markets should be taken as a basis,

HAS ADOPTED THIS REGULATION:

Article 1

The standard quality for which the threshold price for oats is fixed is defined as follows:

- (a) oats of a sound and fair marketable quality, free from abnormal smell and live pests, of a quality corresponding to the average quality of oats harvested under normal conditions in the Community;
- (b) moisture content: 16%;
- (c) total percentage of matter other than basic cereals of unimpaired quality: 3%, of which:
 - grain impurities: 2% ('grain impurities' means grains of other cereals and grains damaged by pests);
 - percentage of miscellaneous impurities: 1% ('miscellaneous impurities' means weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects);

- (d) specific weight: 49 kilogrammes per hectolitre.

Article 2

The standard quality for which the threshold price for grain sorghum is fixed shall be that defined in the 'Official Grain Standards of the United States' for USA Yellow Grain Sorghum No 2, but with a 15% moisture content.

Article 3

The standard quality for which the threshold price for millet is fixed is defined as follows:

- (a) millet corresponding to the average quality of millet grown in Argentina;
- (b) moisture content: 13%;
- (c) total percentage of matter other than basic cereals of unimpaired quality: 17%, of which:
- percentage of broken grains or husked grains: 15%;
 - percentage of miscellaneous impurities: 2% ('miscellaneous impurities' means weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects).

Article 4

The standard quality for which the threshold price for buckwheat is fixed shall correspond to buckwheat of commercial grade of the Republic of South Africa.

Article 5

The standard quality for which the threshold price for canary seed is fixed is defined as follows:

- (a) canary seeds of a sound and fair marketable quality;

- (b) moisture content: 16%
- (c) total percentage of matter other than basic cereals of unimpaired quality: 3%, of which:
 - percentage of grain impurities: 2% ('grain impurities' means grains of other cereals and grains damaged by pests);
 - percentage of miscellaneous impurities: 1% ('miscellaneous impurities' means weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects);
- (d) specific weight: 70 kilogrammes per hectolitre.

Article 6

1. The standard quality for which the threshold price for wheat flour is fixed is defined as follows:

- wheat flour having an ash content of 550 milligrammes per 100 grammes of flour and a moisture content of 15.50%, called 'type 550 wheat flour'.

2. The threshold price referred to in paragraph 1 shall be calculated by adding together the components determined in accordance with paragraph 3 and subtracting from the amount thus obtained the factor determined in accordance with paragraph 4.

3. The components are the following:

(a) the value of common wheat processed into flour, calculated from:

- the quantity of common wheat, assessed at a fixed rate of 1400 kilogrammes for the production of one metric ton of flour,
- the threshold price for common wheat, taking into account the monthly graduation of this price;

- (b) an amount representing the milling margin, fixed at 25 units of account per metric ton of common wheat for processing;
 - (c) an amount, intended to ensure protection of the processing industry, fixed at 13.75 units of account per metric ton of wheat flour.
4. The factor to be subtracted is the value of the residues, calculated from:
- the quantity of residues, assessed at a fixed rate of 372 kilogrammes per metric ton of flour obtained;
 - a fixed price for residues, whether or not sorted, of 85 units of account per metric ton.
5. The threshold price for meslin flour shall be the same as that for wheat flour.

Article 7

1. The standard quality for which the threshold price for rye flour is fixed is defined as follows:
- rye flour having an ash content of 812 milligrammes per 100 grammes of flour and a moisture content of 15.50%.
2. The threshold price referred to in paragraph shall be calculated in accordance with Article 6(3) and (4), the word 'rye' being substituted for the words 'common wheat'. The fixed price for residues, whether or not sorted, shall be 80 units of account per metric ton.

Article 8

1. The standard quality for which the threshold price for groats and meal of common wheat is fixed is that of a product having a moisture content of 15.50%.
2. The threshold price referred to in paragraph 1 shall be equal to the threshold price for wheat flour plus 8%.

Article 9

1. The standard quality for which the threshold price for groats and meal of durum wheat is fixed is that of a product having a moisture content of 14.50%.
2. The threshold price referred to in paragraph 1 shall be calculated by adding together the components determined in accordance with paragraph 3 and subtracting from the amount thus obtained the factors determined in accordance with paragraph 4.
3. The components are the following:
 - (a) the value of durum wheat processed into groats and meal, calculated from:
 - the quantity of durum wheat, assessed at a fixed rate of 1550 kilogrammes per metric ton of groats and meal obtained;
 - the threshold price for durum wheat, taking into account any monthly graduation of this price.
 - (b) the components specified in Article 6(3)(b) and (c), the words 'durum wheat' and 'groats and meal of durum wheat' being substituted respectively for the words 'common wheat' and 'wheat flour'.
4. The factors to be subtracted are the following:
 - (a) the value of intermediate products, calculated from:
 - the quantity of intermediate products, assessed at a fixed rate of 162 kilogrammes per metric ton of groats and meal of durum wheat obtained;
 - the price of these products, calculated by adding together the components determined in accordance with Article 6(3)(a) and (b) and subtracting therefrom the factor determined in accordance with Article 6(4), the amount thus obtained being reduced by 35%.

(b) the value of residues, calculated from:

- the quantity of residues, assessed at a fixed rate of 257 kilograms per metric ton of groats and meal of durum wheat obtained;
- the price of common wheat residues determined in accordance with the second indent of Article 6(4), less 15%.

Article 10

For the purposes of this Regulation:

- (a) matter other than basic cereals of unimpaired quality shall be as defined in Annex I, Part A, saving any other definition contained in this Regulation, and shall be determined in accordance with the method laid down in Annex I, Part B;
- (b) the moisture content shall be determined in accordance with the method indicated in Annex II.

Article 11

1. Council Regulation (EEC) No 1397/69⁽¹⁾ of 17 July 1969 fixing standard qualities for certain cereals and categories of flour, groats and meal and the rules for fixing the threshold prices of these categories of products, as amended by Regulation (EEC) No (2), is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

Article 12

This Regulation shall enter into force on 1 August 1975.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

(1) OJ No L 179, 21.7.1969, p. 6 (2) OJ No L

ANNEX IA. MATTER OTHER THAN BASIC CEREALS OF UNIMPAIRED QUALITY

1. Broken grains:

All grains in which the endosperm is partially uncovered shall be considered as broken grains.

Grains damaged by threshing and grains from which the germ has been removed also belong to this group.

This definition does not apply to maize.

2. Grain impurities:

(a) Shrivelled grains:

Grains which, after elimination from the sample of all other matter referred to in this Annex, pass through sieves with apertures of the following dimensions: common wheat 2 millimetres, rye 1.8 millimetres, durum wheat 1.9 millimetres, barley 2.2 millimetres, shall be considered as shrivelled grains.

In addition, grains damaged by frost and unripe grains (green) belong to this group.

(b) Other cereals:

'Other cereals' means all grains which do not belong to the species of grain sampled.

In the case of a sample of durum wheat, all common wheat grains exceeding 1% shall count as 'other cereals'.

(c) Grains damaged by pests:

Grains damaged by pests are those which have been nibbled. Bug-ridden grains also belong to this group.

(d) Grains in which the germ is discoloured and mottled grains:

Grains in which the germ is discoloured are those in which the tegument is coloured brown to brownish black and of which the germ is normal and not sprouting. For common wheat, grains in which the germ is discoloured shall be disregarded up to 8%. For durum wheat, grains which show a brown to brownish black discoloration elsewhere than on the germ itself shall be considered as mottled grains.

3. Sprouted grains:

Sprouted grains are those in which the radicle or the plumule is clearly visible to the naked eye.

However, account must be taken of the general appearance of the sample when its content of sprouted grains is assessed. In some kinds of cereals the germ is protuberant, e.g. durum wheat, and the germ tegument splits when the batch of cereals is shaken. These grains resemble sprouted grains but must not be included in that group. Sprouted grains are only those where the germ has undergone clearly visible changes which make it easy to distinguish the sprouted grain from the normal grain.

4. Miscellaneous impurities (Schwarzbesatz):

(a) Weed seeds

(b) Damaged grains:

Damaged grains are those rendered unfit for human consumption and, as regards feed-grain, for consumption by cattle owing to putrefaction, mildew, or bacterial or other causes.

Grains which have deteriorated through spontaneous generation of heat also belong to this group; these 'heated' or 'smutty' grains are fully grown grains in which the tegument is coloured greenish brown to black, while the cross-section of the kernel is coloured yellowish green to brownish black.

Grains attacked by wheat-midge shall be considered as damaged grains only when more than half the surface of the grain is coloured green to black as a result of secondary cryptogamic attack. Where discoloration covers less than half the surface of the grain, the latter must be classed with grains damaged by pests.

(c) Extraneous matter:

All matter in a sample of cereals retained by a sieve with apertures of 3.5 millimetres (with the exception of grains of other cereals and particularly large grains of the basic cereal) and that passing through a sieve with apertures of 1 millimetre shall be considered as extraneous matter.

Also included in this group are stones, sand, fragments of straw and other impurities in the samples which pass through a sieve with apertures of 3.5 millimetres and are retained by a sieve with apertures of 1 millimetre.

This definition does not apply to maize. For that cereal, all matter in a sample which passes through a sieve with apertures of 1 millimetre, as well as all the impurities mentioned in the preceding subparagraph, must be considered as extraneous matter.

- (d) Husks (for maize: cob fragments)
- (e) Ergot
- (f) Decayed grains
- (g) Dead insects and fragments of insects

5. Live pests

B. STANDARD METHOD FOR DETERMINING MATTER OTHER THAN BASIC CEREALS OF UNIMPAIRED QUALITY

1. For common wheat, durum wheat, rye and barley, an average sample of 250 grammes is passed through two sieves, one with apertures of 3.5 millimetres and the other with apertures of 1 millimetre, for half a minute each.

In order to ensure constant sifting, it is advisable to use a mechanical sieve, e.g. a vibrating table with fitted sieves.

The matter retained by the sieve with apertures of 3.5 millimetres and that passing through the sieve with apertures of 1 millimetre must be weighed together and considered as extraneous matter. Where the matter retained by the sieve with apertures of 3.5 millimetres includes parts of the 'other cereals' group or particularly large grains of the basic cereal, those parts or grains shall be returned to the sifted sample. During sifting in the sieve with apertures of 1 millimetre a close check must be made for live pests.

From the sifted sample, a sample of from 50 to 100 grammes shall be taken using a separator. This partial sample must be weighed.

Then, this partial sample should be spread out on a table with tweezers or a horn spatula, and broken grains, other cereals, sprouted grains, grains damaged by pests, grains damaged by frost, grains in which the germ is discoloured, mottled grains, weed seeds, ergots, damaged grains, decayed grains, husks, live pests and dead insects must be extracted.

Where the partial sample includes grains still in the husk, they shall be husked by hand, the husk so obtained being considered as pieces of husks. Stones, sand and fragments of straw shall be considered as extraneous matter.

The partial sample shall be sifted for half a minute in a sieve with apertures of 2 millimetres for common wheat, 1.8 millimetres for rye, 1.9 millimetres for durum wheat and 2.2 millimetres for barley. Matter which passes through this sieve shall be considered as shrivelled grain. Grains damaged by frost and unripe green grains belong to the 'shrivelled grains' group.

2. For maize, an average sample of 500 grammes is shaken for half a minute in a sieve with apertures of 1 millimetre. Check for live pests and dead insects.

Using tweezers or a horn spatula, extract from the matter retained by the sieve with apertures of 1 millimetre stones, sand, fragments of straw and other extraneous matter.

Add the extraneous matter thus extracted to the matter which has passed through the sieve with apertures of 1 millimetre and weigh them together.

Using a separator, prepare a sample of 100 to 200 grammes from the sample passed through the sieve. Weigh this sample. Spread it out in a thin layer on a table. Using tweezers or a horn spatula, extract the pieces of other cereals, grains damaged by pests, grains damaged by frost, sprouted grains, weed seeds, damaged grains, husks, live pests and dead insects.

Next, pass this partial sample through a sieve with a 4.5 millimetres round mesh. Matter which passes through this sieve shall be considered as broken grains.

3. Groups of matter other than basic cereals of unimpaired quality determined according to the methods set out in 1 and 2, the percentages of which are laid down in Articles 1 to 5, must be weighed very carefully to the nearest 0.01 gramme and distributed according to percentage over the

average sample. The particulars entered in the analysis report shall be to the nearest 0.1%. Check for live pests. As a general rule, two analyses must be made for each sample. They must not differ by more than 10% in respect of the total of the above-mentioned matter.

4. The apparatus to be used for the operations specified in 1, 2 and 3 is as follows:

- (a) sample separator, e.g. a conical or grooved apparatus,
- (b) precision or assay balance,
- (c) sieves with apertures of 1 millimetre, 1.8 millimetres, 1.9 millimetres, 2 millimetres, 2.2 millimetres and 3.5 millimetres and a sieve of 4.5 millimetres round mesh. The sieves may be fitted to a vibrating table.

ANNEX II

STANDARD METHOD OF TESTING FOR MOISTURE CONTENT

1. Principle:

The product is dried at a temperature of 130 to 133 °C, under normal atmospheric pressure, for a period of time fixed by rules of thumb according to the size of the particles.

2. Field of application:

This drying method applies to cereals crushed into particles of which at least 50% pass through a sieve with a 0.5 millimetre mesh and leave not more than 10% residue on a sieve with a 1 millimetre round mesh.

It also applies to flour.

3. Apparatus:

Precision balance

Crusher made of a material which does not absorb moisture, is easy to clean, enables crushing to be effected quickly and evenly without overheating, limits contact with the outside air to the minimum and meets the requirements set-out in 2 (e.g. a detachable roller mill)

Receptacle made of non-corrodable glass or metal, fitted with a ground-in lid; working surface allowing distribution of the test sample at 0.3 gramme per square centimetre

Electrically heated isothermic heating-chamber, set at a temperature of 130 to 133 °C, ⁽¹⁾ having adequate ventilation ⁽²⁾

Dryer with a metal or, failing metal, porcelain plate, thick, perforated, containing silica gel impregnated with cobalt chloride or any other suitable dehydrator.

4. Method:

(a) Drying:

Weigh at least 5 grammes of the crushed substance in the pre-weighed receptacle. Place the receptacle in a heating-chamber heated to 130 °C. To prevent a drop in temperature the receptacle must be introduced in as short a time as possible. Leave to dry for two hours after the heating-chamber regains a temperature of 130 °C. Remove the receptacle from the heating-chamber, quickly replace the lid, leave to cool for thirty to forty-five minutes in a dryer and weigh (weighing must be accurate to 1 milligramme).

(b) Pre-drying:

Grains with a moisture content higher than 17% must be pre-dried as follows:

Weigh 50 grammes of unground grain in a suitable container (e.g. a 20 x 12 centimetres aluminium plate with 0.5 centimetre rim), leave to dry in a heating-chamber for seven to ten minutes at a temperature of 130 °C, remove from the heating-chamber, leave the grains uncovered to cool in a laboratory for two hours and weigh (weighing must be accurate to 10 milligrammes). Crush the partially dried grains and determine the remaining moisture content as described in (a).

5. Method of calculation and formulae:

E = the initial mass, in grammes, of the test sample;

M = the mass, in grammes, of the test sample after preparation;

M' = the mass, in grammes, of the test sample after crushing;

m = the mass, in grammes, of the dry test sample.

The moisture content as a percentage of the product is equal to:

- without previous preparation: $(E - m) \times \frac{100}{E}$

- with previous preparation:

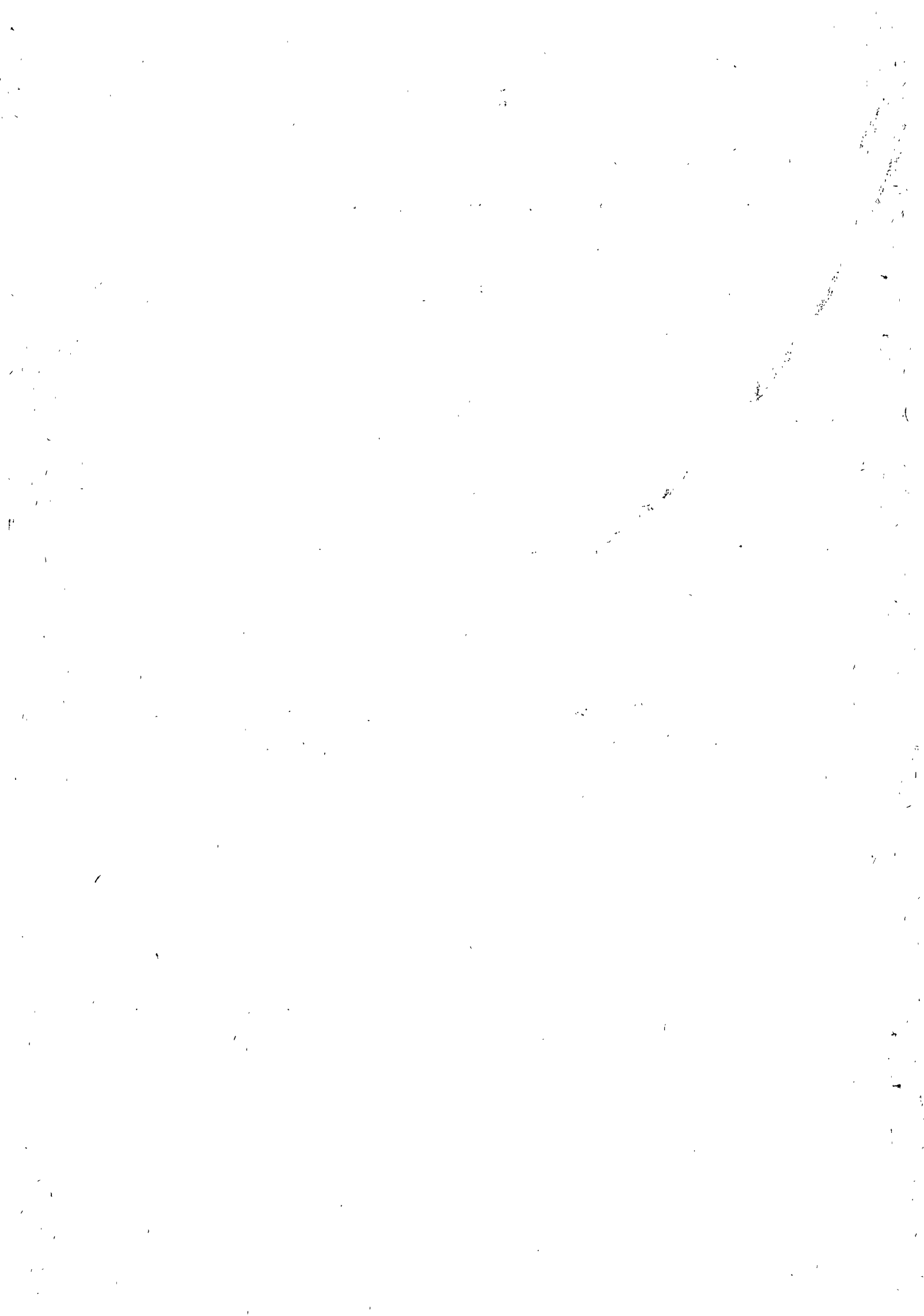
$$\frac{(M' - m) M_{E-M} \cdot 100}{M' E} = 100 \left(1 - \frac{Mm}{EM'} \right)$$

Tests to be made in duplicate at least.

6. Accuracy of test:

The difference between two tests made on the same sample must not exceed $\pm 0.1\%$ of moisture.

-
- (1) Air temperature inside the heating-chamber.
 - (2) Its heating capacity should be such that, when it has been pre-set to 131 °C, that temperature can be regained in less than forty-five minutes after the maximum number of test samples have been placed in the chamber to dry simultaneously. Ventilation should be such that when all the test samples of common wheat it can hold are dried for two hours, the results differ by no more than 0.15% from the results obtained after drying for four hours.



Proposal for consolidation of Regulation (EEC) n° 1171/75

The Commission proposes the Council that, as part of the consolidation of all acts of the Council relating to cereales' sector, it should also proceed to adopt the text of Council Regulation (EEC) n° 1171/75 of 28 April 1975 determining for the 1975/76 marketing year, the single intervention prices for barley, rye, durum wheat and maize, and the principal marketing centres for common wheat and the derived intervention prices applicable at those centres (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text :

References

Former text

New text

article 3

The text of article 3 shall be replaced by :

1. Council Regulation (EEC) n° 1171/75 of 28 April 1975 determining, for the 1975/76 marketing year, the single intervention prices for barley, rye, durum wheat and maize, and the principal marketing centres for common wheat and the derived intervention prices applicable at those centres is hereby repealed.(1)
2. All references to the Regulation repealed by virtue of paragraph 1 shall be treated as references to this Regulation.

Article 4

This Regulation shall enter into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference sitting out their new number in accordance with the following table :

Relevant provisions

Reference take replaced

3e visa

120/67/EEC 13 June 1967 as last amended by Regulation n° 665/75 (2).

1r recital

120/67/EEC

2e recital

131/67/EEC 13 June 1967.

as last amended by Regulation (EEC) n° 1205/69.

(1) O.J. n° L 117 ... 7.5.1975, p. 1

Proposal for consolidation of Regulation (EEC) n° 982/75

The Commission proposes the Council that, as part of the consolidation of all acts of the Council relating to cereales' sector, it should also proceed to adopt the text of Council Regulation (EEC) n° 982/75 of 14 April 1975 fixing, for the 1975/76 marketing year, the monthly price increase for cereals, wheat and rye flour and wheat groats and meal (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text :

<u>References</u>	<u>Former text</u>	<u>New text</u>
articles 5	The text of article 5 shall be replaced by :	<ol style="list-style-type: none"> 1. Council Regulation (EEC) n° 982/75 of 14 April 1975 fixing, for the 1975/76 marketing year, the monthly price increases for cereals, wheat and rye flour and wheat groats and meal (1), is hereby repealed. 2. All references to the Regulation repealed by virtue of paragraph shall be treated as references to this Regulation.

Article 6.

This Regulation shall enter into force on 1st August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference sitting out their new member in accordance with the following table :

<u>Relevant provisions</u>	<u>Reference take replaced</u>
Ze visa	120/67/EEC of 13 June 1967 as last amended by Regulation (EEC) n° 665/75.
Article 1	120/67/EEC.

(1) O.J. n° L 95, 17.4.1975, p. 4

Proposal for consolidation of Regulation (EEC) No 2104/73

The Commission proposes to the Council that, as part of the consolidation all acts of the Council relating to the cereals' sector, it should also proceed to adopt the text of Council Regulation (EEC) No 2104/73 of 1 August 1973 on the transfer to and sale by the Italian intervention agency of common wheat held by the German, French and Belgian intervention agencies (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text:

References

Former text

New text

article 7

The text of article 7 shall be replaced by:

1. Council Regulation (EEC) No. 2104/73 of 1 August 1973 on the transfer to and sale by the Italian intervention agency of common wheat held by the German, French and Belgian intervention agencies (1), is hereby repealed.
2. All references to the Regulation repealed by virtue of paragraph shall be treated as references to this Regulation.

Article

This Regulation shall enter into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference setting out their new number in accordance with the following table:

Relevant provisions

Reference to be replaced

2nd visa

120/67/EEC 13 June 1967 as last amended by the Act of Accession (2).

4th visa

132/67/EEC 13 June 1967 as amended by Regulation (EEC) No 1938/70 (2)

1st recital

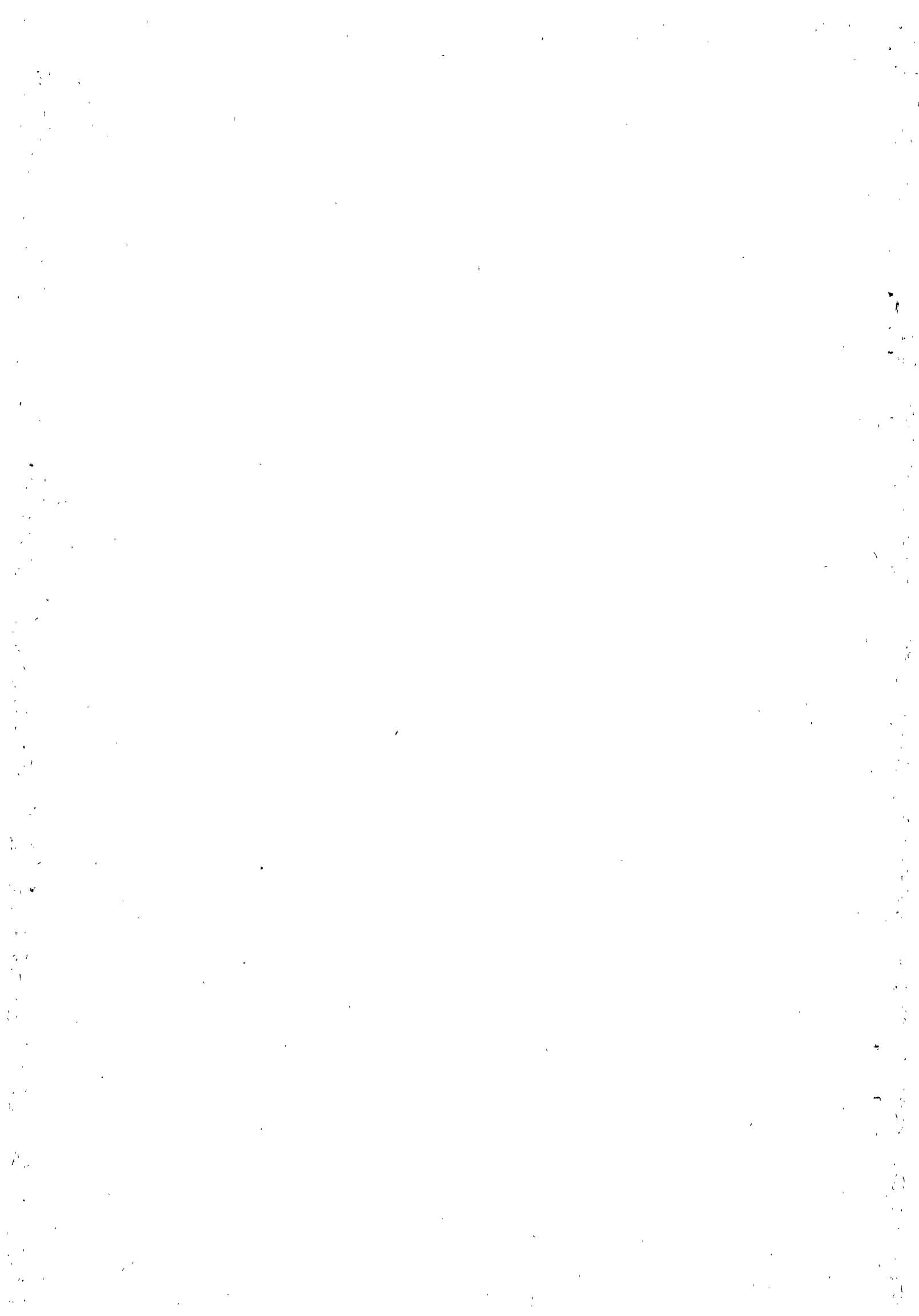
1984/73 19 July 1973 amended by Regulation (EEC) No 2103/73 (8)

2nd recital

1984/73

Article 6, paragraph 2

132/67/EEC



REGULATION (EEC) No OF THE COUNCIL
of
laying down general rules for intervention
on the market in cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No (1) of
on the common organisation of the market in cereals, and in particular
Article 7(4) thereof;

Having regard to the proposal from the Commission;

Whereas the creation of a single market in cereals necessitates the
application of Community intervention measures;

Whereas the introduction of Community intervention measures requires
intervention agencies to take over cereals under conditions which take
account of the regionalisation of prices provided for in Council Regulation
(EEC) No (2) of laying down rules for
deriving intervention prices for common wheat and for determining certain
marketing centres for cereals; whereas, to this end, the price to be paid
to the seller should be the intervention price valid for a given marketing
centre less any transport costs;

Whereas the introduction of the intervention system should follow rules which
are as simple and as effective as possible; whereas, therefore, the number of
marketing centres in respect of which an offer may be made from a given
locality should be limited;

Whereas cereals held by intervention agencies should be offered without
discriminating between buyers established in the Community and at price
levels which do not hinder the normal development of market prices in the
Community; whereas the tendering procedure enables these objectives to be
attained,

(1) See page of this Official Journal
(2) See page of this Official Journal

HAS ADOPTED THIS REGULATION:

Article 1

1. In pursuance of Article 7 of Regulation (EEC) No _____, all offers for intervention shall be made to an intervention agency in respect of a marketing centre chosen from among the three centres nearest to the place where the cereals are when the offer is made.
2. The nearest marketing centres mean centres for which intervention prices have been fixed and to which the cereals can be sent at least cost. These transport costs shall be determined by the intervention agency.

Article 2

1. The intervention agency shall decide on the place where the cereals are to be taken over.
2. If the intervention agency takes over the cereals at any place other than the marketing centre indicated by the seller, the price to be paid shall be equal to the intervention price valid at the marketing centre indicated by the seller, less the most advantageous transport costs between the place where the cereals are when the offer is made and the marketing centre. These costs shall be determined by the intervention agency.
3. If the intervention agency takes over the cereals at a place other than the marketing centre indicated by the seller and other than the place where the cereals are when the offer is made, the cost of transport from the place where the cereals are to the place where they are taken over shall be borne by the intervention agency. In that case the price to be paid to the seller shall be determined in accordance with paragraph 2.

Article 3

1. Cereals held by the intervention agency shall be disposed of by invitation to tender:
 - (a) with a view to their being put back on the market on the basis of price conditions which are determined before the beginning of the marketing year, and are such as will not cause a deterioration of the market; where the common organisation of the market is not functioning properly, these price conditions may however be amended during the marketing year;

- (b) with a view to export on the basis of price conditions to be determined case by case according to market trends and requirements.
2. The terms of the invitation to tender shall ensure equality of access and treatment to all persons concerned irrespective of the place of their establishment within the Community.
3. If the tenders submitted do not reach the actual market value, the invitation to tender shall be cancelled.

Article 4

The Council, acting by a qualified majority on a proposal from the Commission, may establish a selling procedure other than that laid down in Article 3, if special circumstances require.

Article 5

1. Council Regulation No 132/67/EEC⁽¹⁾ of 13 June 1967 laying down general rules for intervention on the market in cereals, as amended by Regulation (EEC) No 1938/70⁽²⁾, is hereby repealed.
2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

Article 6

This Regulation shall enter into force on 1 August 1975.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

(1) OJ No 122, 22 June 1967, p. 2393/67
(2) OJ No L 215, 30 September 1970, p. 1

REGULATION (EEC) No OF THE COUNCIL

of

on general rules governing the denaturing
of common wheat and rye of bread-making
quality

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No (1) of
on the common organisation of the market in cereals, and in particular
Articles 7(4) 16 (5) thereof;

Having regard to the proposal from the Commission;

Whereas methods of denaturing should be effective enough to prevent the denatured cereal being placed again on the market for human consumption in its original state or as a processed product; whereas it is therefore advisable to lay down technical methods offering minimum safeguards in that respect and to provide that in no case could the methods actually employed by Member States result in a lesser degree of denaturing;

Whereas in view of the aims pursued denaturing can only be justified for bread-making cereals of a certain minimum quality; whereas, moreover, the costs entailed by denaturing and the control thereof can only be justified for a minimum quantity of cereals;

Whereas the factors on which the premium is based may change considerably during the year and thus reduce or increase the incentive to denature cereals, thereby disturbing the balance of the market, in particular when the market situation obliges intervention agencies to buy in large quantities of cereals; whereas, therefore, although it is necessary to publish the amount of the premium before the beginning of the crop year, adjustments should be allowed where the balance of the market is likely to be disturbed by the factors referred to above;

Whereas denaturing by intervention agencies could be an advantageous way of marketing cereals which had been the subject of intervention; whereas, therefore, cereals denatured by them should be of the same minimum quality as those which are the subject of a denaturing premium;

Whereas when they have been denatured, common wheat and rye have characteristics such that they could be substituted for barley or maize for certain uses; whereas, therefore, care must be taken to ensure that denaturing does not cause disturbances on the market for the two latter products;

Whereas owing to the interchangeability of denatured common wheat and barley, the refund for denatured common wheat should be fixed on the basis of that granted for barley;

Whereas, when Italy makes use of the power conferred by Article 23 of Regulation (EEC) No _____, feed grain imported into that country subject to a reduced levy or with a subsidy is placed in a more competitive position than the denatured common wheat which can be used in its place; whereas the purpose of Community rules is to enable denatured common wheat to compete with barley on the internal market; whereas, therefore, a system of subsidies and charges should be established to restore the balance between the markets in denatured common wheat and in other feed grains;

Whereas it follows from this desire to achieve a balance between denatured common wheat and barley that the denaturing premium granted in Italy for common wheat should be increased when that State uses the power conferred on it to import that cereal subject to a reduced levy;

Whereas to that end provision should be made, as in the case of feed grain, for exporting Member States to pay consignors on request the subsidy which Italy has to grant in respect of deliveries of denatured common wheat, it being for the exporting Member State to inform the Italian Republic of such payment,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down the general rules governing the denaturing of common wheat and rye of bread-making quality, referred to in Article 7(3) of Regulation (EEC) No .

Article 2

1. The methods employed for denaturing must ensure that denatured common wheat and rye can no longer be used for human consumption.
2. These methods must be at least as effective as a standard method to be determined.

Article 3

Cereals for denaturing must be of a minimum quality and quantity to be determined.

Article 4

1. The denaturing premium for common wheat, the amount of which may vary, shall be fixed before the beginning of and for the duration of each marketing year in accordance with conditions to be determined.

It may, however, be adjusted during the year if the balance of the Community market in cereals is threatened with disturbance.

2. The premium shall be granted at the request of the interested party, provided the requirements of Articles 2, 3 and 7 are observed.
3. Intervention agencies may also undertake the denaturing of cereals held by them, provided the requirements of Article 2 and the quality conditions provided for in Article 3 are observed.

Article 5

The price at which intervention agencies shall sell denatured common wheat and rye and the amount of the denaturing premium shall be fixed at a level such as not to cause disturbances on the barley and maize markets.

Article 6

In the case of exports of denatured common wheat, the refund shall be calculated on the basis of the refund granted on exports of barley.

Article 7

1. If Italy makes use of the power conferred by Article 23(1) of Regulation (EEC) No _____, that State shall grant a subsidy for denatured common wheat delivered by sea from other Member States equal to the reduction in the levy applied to barley imported by the same means, unless the subsidy has, at the request of the consignor, been paid to him by the exporting Member State which shall forthwith inform the Italian Republic. The latter shall regularly inform all Member States of the amount of the subsidy in force.

2. If Italy makes use of the power conferred by Article 23(2) of Regulation (EEC) No _____, that State shall:

- impose on denatured common wheat despatched to other Member States a charge equal to the reduction in the levy on barley pursuant to that provision, and
- grant a subsidy of the same amount on denatured common wheat imported from other Member States, unless the subsidy has, at the request of the consignor, been paid to him by the exporting Member State which shall forthwith inform the Italian Republic. The latter shall regularly inform all Member States of the amount of the subsidy in force.

3. If Italy makes use of the power conferred by Article 23(2) of Regulation (EEC) No _____, and amount equal to that of the reduction in the levy charged on barley in accordance with the provision referred to above shall be added to the denaturing premium applicable in Italy.

Article 8

To qualify for the premium, denaturing must be effected in agreement with the intervention agency and under its supervision.

Article 9

1. Council Regulation No 172/67/EEC⁽¹⁾ of 27 June 1967 on general rules governing the denaturing of wheat and rye of bread-making quality, as last amended by Regulation (EEC) No 2096/68⁽²⁾, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

A table is provided in the Annex for the purpose of correlating references to the preamble and Articles of that Regulation with those of this Regulation.

Article 10

This Regulation shall enter into force on 1 August 1975.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

(1) OJ No 130, 28 June 1967, p. 2602/67
(2) OJ No L 308, 23 December 1968, p. 12

ANNEX

CORRELATION TABLE

Regulation No 172/67/EEC

This Regulation

Article 6a

Article 7

Article 7

Article 8

REGULATION (EEC) No OF THE COUNCIL
of
on special intervention measures for
cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No (1) of
on the common organization of the market in cereals, and in particular
the first paragraph of Article 8 thereof;

Having regard to the proposal from the Commission;

Whereas the establishment of a common price system for cereals entails replacing national systems of derived intervention prices, limited to the territory of each Member State, by a uniform Community system; whereas, in the majority of cases, changed patterns of trade between surplus and deficit areas of the Community result therefrom; whereas the intervention prices fixed to meet this new situation differ substantially in many regions from the prices applied hitherto;

Whereas it is not yet possible to foresee the speed with which the market will adapt itself to this new regionalisation of prices on a Community scale and to the disappearance of price zones which had been created by the barrier of intra-Community levies;

Whereas, moreover, harvests which in certain regions of the Community differed substantially from the average for previous years could in those regions temporarily bring about a change in market prices not found elsewhere in the Community;

Whereas in consequence intervention agencies might have to buy in large quantities in certain regions, without this measure being required by the long-term trend of markets in the Community;

(1) See p. of this Official Journal

Whereas provision should therefore be made for preventive measures to enable trade to ease the market in those regions for a given period;

Whereas, in view of the uniformity which should characterise the Community market in cereals, such measures should be assessed and decided upon from a Community viewpoint,

HAS ADOPTED THIS REGULATION:

Article 1

If, in any region of the Community, market prices show a fall or a weakness which, in view of the size of the harvest or the regional stocks and their geographical situation, could oblige the intervention agency to buy in large quantities, the Member State concerned may request the Commission to authorise the intervention agency, in accordance with the procedure provided for in Article 26 of Regulation (EEC) No to take special intervention measures, in accordance with Article 3 of that Regulation. The decision of the Commission shall be taken within working days following that on which the request was made.

The Member State shall state the reasons for its request and for the measures it considers should be adopted and shall indicate the intended duration of their application.

Article 2

1. Council Regulation No 174/67/EEC⁽¹⁾ of 27 June 1967 on special intervention measures for cereals, as amended by Regulation (EEC) No 445/63⁽²⁾, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

(1) OJ No 130, 28 June 1967, p. 2609/67
(2) OJ No L 91, 12 April 1968, p. 3

Article 3

This Regulation shall enter into force on 1 August 1975.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

REGULATION (EEC) No OF THE COUNCIL

of

on aid for durum wheat

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No of
on the common organization of the market in cereals, and in particular
Article 10 thereof;

Having regard to the proposal from the Commission;

Whereas it is for the Council to define the rules according to which
the aid provided for in Article 10 of Regulation (EEC) No (1)
is to be granted to producers of durum wheat; whereas the administration
of this aid should be entrusted to the producer Member States since they
are best able to assume responsibility for the payment and supervision
of the aids;

HAS ADOPTED THIS REGULATION:

Article 1

1. Member States shall grant the aid for durum wheat provided for in Article 10 of Regulation (EEC) No only in respect of durum wheat harvested on their territory which has the minimum quality characteristics required for intervention.
2. For the purposes of this Regulation, durum wheat means wheat of the triticum durum species and the hybrids derived from the interspecific crossing of triticum durum with the same number of chromosomes as that species.

Durum wheat thus defined must be of a colour ranging from amber-yellow to brown and show a translucent horn-like vitreous fracture.

(1) See p of this Official Journal

Article 2

The aid shall be paid to producers on application. Applications must be accompanied by the necessary supporting documents.

Each Member State shall take the necessary steps to verify the claims on which applications are based and to prevent fraud.

Article 3

The producer Member States shall inform the Commission of the measures taken pursuant to this Regulation and, at the end of each half-year, of the quantities of durum wheat in respect of which aid has been granted.

Article 4

Detailed rules for the application of this Regulation shall be adopted if necessary in accordance with the procedure laid down in Article 26 of Regulation (EEC) No

Article 5

1. Council Regulation No 135/67/EEC⁽¹⁾ of 13 June 1967 on aid for durum wheat is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

A table is provided in the Annex for the purpose of correlating citations of and references to the Articles of that Regulation with those of this Regulation.

Article 6

This Regulation shall enter into force on 1 August 1975.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

(1) OJ No 120, 21.6.1967, p. 2364/67

ANNEX

CORRELATION TABLE

Regulation No 135/67/EEC

This Regulation

Article 2

Article 1

Article 3

Article 2

Article 4

Article 3

Article 5

Article 4

REGULATION (EEC) No OF THE COUNCIL

of

on the system to be applied to cereal-based
compound feeding-stuffs

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No (1) of
 on the common organization of the market in cereals, and in particular
 Articles 14(3) and 16(5) thereof;

Having regard to the proposal from the Commission;

Whereas the forage preparations covered by heading No 23.07 of the Common
 Customs Tariff fall within the scope either of Regulation (EEC) No or
 of Council Regulation (EEC) No 804/68⁽²⁾ of 27 June 1968 on the common
 organization of the market in milk and milk products, depending on their
 composition; whereas for products governed by the first of these
 Regulations the levy to be charged consists of a fixed component and a
 variable component which may be calculated by taking account also of
 ingredients of forage preparations containing products not governed by
 Regulation (EEC) No , by Council Regulation No 359/67/EEC⁽³⁾
 of 25 July 1967 on the common organization of the market in rice or by
 Regulation (EEC) No 804/68;

Whereas the variable component of the levy must be fixed on the basis
 of the most generally used ingredients of feeding-stuffs, namely cereals
 and milk products; whereas it follows that this variable component should
 consist of two standard amounts, one representing each of these categories
 of products; whereas the calculation of the standard amount representing
 milk products should take account of the levies fixed in accordance with
 the provisions laid down in Regulation (EEC) No 804/68 and in the
 Regulations adopted in application thereof;

Whereas maize and skimmed milk powder (spray process) are among the raw

(1) See page of this Official Journal
 (2) OJ No L 148, 28.6.1968, p. 13
 (3) OJ No 174, 31.7.1967, p. 1

materials most commonly used in the manufacture of compound feeding-stuffs; whereas, consequently, the levies applicable to them should be used in calculating the standard amounts comprising the variable component;

Whereas the fixed component of the levy should be so calculated as to ensure protection of the processing industry; whereas that component should be calculated on the basis of the most representative processing costs;

Whereas Article 16 of Regulation (EEC) No provides for the granting of an export refund on products listed in Annex A to that Regulation; whereas this refund is intended in particular to offset the difference between the prices for basic products within the Community and on the world market; whereas general rules for the granting of this refund should be laid down;

Whereas the refund should as a general rule be that which is applicable on the day when the transaction is effected; whereas, however, in view of the requirements of the international market in compound feeding-stuffs provision should be made for fixing the refund in advance;

Whereas Article 23(2) of Regulation (EEC) No provides, in trade in compound feeding-stuffs for which the levy is calculated on the basis of maize, for the introduction of a system aimed at lowering prices for the products imported into Italy, on condition that such products may not enter other Member States without payment of a charge which offsets the price reduction; whereas in order to avoid disturbances on the market in compound feeding-stuffs this system must be effectively applied to them if Italy has recourse to it in respect of the basic product,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levies and export refunds for products falling within subheading 23.07 B of the Common Customs Tariff and mentioned in Annex A to Regulation (EEC) No (hereinafter called 'cereal-based

compound feeding-stuffs¹⁾ shall be fixed in accordance with the provisions of this Regulation.

2. The cereal-based compound feeding-stuffs shall be shown in the sub-headings of the Common Customs Tariff listed in Annex I.

TITLE I

Levies

Article 2

The levy applicable to cereal-based compound feeding-stuffs listed in Annex I shall be composed of a variable component and a fixed component.

Article 3

For the calculation of the variable component, the cereal-based compound feeding-stuffs shall be classified in Annex II as follows:

- in Table A according to their starch content;
- in Table B according to their milk products content.

Article 4

1. The variable component shall be equal to the sum of the two following amounts:

- (a) a first amount equal to the average of the levies per metric ton of maize, adjusted by the coefficient corresponding to the cereal-based compound feeding-stuff in question, as set out in column 3 of Table A of Annex II;
- (b) a second amount equal to the average of the levies applicable per metric ton of the pilot product from Group 2, defined in Annex I to Council Regulation (EEC) No 823/68⁽¹⁾ of 28 June 1968 determining the Groups of products and the special provisions for calculating

(1) OJ No L 151, 30.6.1968, p. 3

levies on milk and milk products (hereinafter called 'milk powder'), adjusted by the coefficient corresponding to the cereal-based compound feeding-stuff in question, as set out in column 3 of Table B of Annex II.

2. The averages for maize and milk powder mentioned in paragraph 1 shall be calculated for the first twenty-five days of the month preceding the month of importation. Each average shall be adjusted where necessary on the basis of the threshold price ruling in the month of importation.

Article 5

If a cereal-based compound feeding-stuff contains substantial quantities of products which are not covered by Regulation (EEC) No _____, Regulation No 359/67/EEC or Regulation (EEC) No 804/68, the conditions under which the variable component may be increased by the amount specified in Article 14(1) A (b) of Regulation (EEC) No _____ shall be adopted in accordance with the procedure laid down in Article 26 of that Regulation.

Article 6

The fixed component shall be 9 units of account per metric ton.

TITLE II

Refunds

Article 7

1. The export refund shall be fixed taking into account only certain products used in the manufacture of compound feeding-stuffs for which an export refund may be fixed.
2. Where the world market situation or the special requirements of certain markets make it necessary, the refund may be varied according to destination.
3. The refund shall be paid when proof has been furnished that the products in question have been exported outside the Community.

Where paragraph 2 applies, the refund shall be paid in accordance with the preceding subparagraph and on condition that proof is furnished that the product has reached the destination for which the refund was fixed.

Derogations from this rule may nevertheless be made, in accordance with the procedure referred to in paragraph 5, provided conditions are laid down which offer equivalent guarantees.

4. Refunds shall be fixed once monthly.

5. Additional provisions may be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No

Article 8

1. The refund shall be fixed in advance, at the request of the party concerned at the time when the application for an export licence is submitted, for a transaction to be completed during the period of validity of the licence.

2. The amount of the refund shall be that which is applicable on the day on which the application for a licence is submitted, adjusted where necessary on the basis of the threshold prices for maize and for milk powder ruling in the month of exportation. A corrective amount shall be fixed for the latter product in order to take account of the amount of aid granted in the month of exportation for milk powder intended for feeding-stuffs.

3. The adjustment mentioned in paragraph 2 shall be effected in accordance with the detailed rules adopted under Article 16(6) of Regulation (EEC) No

TITLE II

General provisions

Article 9

1. If Italy has recourse to Article 23(2) of Regulation (EEC) No :

- it shall levy a charge on exports to other Member States of cereal-based compound feeding-stuffs;
- and grant a subsidy on deliveries of such products from other Member States.

2. The above-mentioned charge and subsidy shall be determined in accordance with the procedure laid down in Article 26 of Regulation (EEC) No .

Article 10

The milk products content of cereal-based feeding-stuffs shall be determined for the calculation of the levy by applying the coefficient 2 to the lactose content per metric ton of the product in question. It may be determined by the same method for the calculation of the refund.

Article 11

Where the starch or lactose content has to be determined in application of this Regulation, analytical methods shall be established, for starch in accordance with the procedure laid down in Article 26 of Regulation (EEC) No , and for lactose in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

Article 12

1. Council Regulation (EEC) No 968/68⁽¹⁾ of 15 July 1968 on the system to be applied to cereal-based compound feeding-stuffs, amended by Regulation (EEC) No 2196/69⁽²⁾, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

(1) OJ No L 166, 17.7.1968, p. 2
(2) OJ No L 279, 6.11.1969, p. 1

Article 13

This Regulation shall enter into force on 1 August 1975.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

ANNEX I

SCT heading No	Description of goods
23.07	<p>Sweetened forage; other preparations of a kind used in animal feeding:</p> <p>B. Other, containing separately or together and whether or not mixed with other products, starch, glucose or glucose syrup falling within sub-headings 17.02 B and 17.05 B and milk products falling within headings or sub-headings 04.01, 04.02, 04.03, 04.04, 17.02 A, 17.05 A:</p> <p>I. Containing starch or glucose or glucose syrup with a content by weight of starch of:</p> <p>(a) 10% or less:</p> <ol style="list-style-type: none"> 1. Containing no milk products or containing less than 10% by weight of such products 2. Containing 10% or more but less than 50% by weight of milk products 3. 4. <p>(b) More than 10% but not more than 30%:</p> <ol style="list-style-type: none"> 1. Containing no milk products or containing less than 10% by weight of such products 2. Containing 10% or more but less than 50% by weight of milk products 3. <p>(c) More than 30%:</p> <ol style="list-style-type: none"> 1. Containing no milk products or containing less than 10% by weight of such products 2. Containing 10% or more but less than 50% by weight of milk products 3. <p>II.</p>

ANNEX IITABLE A

Heading No used in Annex I	Starch content	Coefficient
I	2	3
23.07 B I (a) 1 23.07 B I (a) 2	10% or less	0.16
23.07 B I (b) 1 23.07 B I (b) 2	More than 10% but not more than 30%	0.50
23.07 B I (c) 1 23.07 B I (c) 2	More than 30%	1.00

TABLE B

Heading No used in Annex 1	Milk products content	Coefficient
1	2	3
23.07 B I (a) 1 23.07 B I (b) 1 23.07 B I (c) 1	Less than 10%	0.00
23.07 B I (a) 2 23.07 B I (b) 2 23.07 B I (c) 2	10% or more but less than 50%	0.50

REGULATION (EEC) No. OF THE COUNCIL

of

on the import and export system for products
processed from cereals and from rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No (1)
of on the common organisation of the market in cereals, and in
particular Articles 14(3), 16(5), 17 and 23(2) thereof;

Having regard to Council Regulation No 359/67/EEC⁽²⁾ of 25 July 1967 on the
common organization of the market in rice, and in particular Articles 12(3),
17(5) and 18 thereof;

Having regard to the proposal from the Commission;

Whereas under Articles 14(3) and 16(5) of Regulation (EEC) No
and Articles 12(3) and 17(6) of Regulation No 359/67/EEC rules should be
adopted for the application of the system of levies and refunds applicable
in trade with third countries in products processed from cereals and from rice,
exceeding compound feeding-stuffs for which special rules have been laid down
in Regulation (EEC) No (3);

Whereas the variable component of the levy must correspond to the incidence
on the prime costs of processed products of the levies on basic products; whereas
that incidence may be calculated on the basis of the average of the levies
applicable during a representative period to the quantity of the basic product
deemed necessary for the manufacture of one unit of the processed product;

(1) See p. of this Official Journal
(2) OJ No L 174, 31.7.1967, p. 1
(3) See p. of this Official Journal

Whereas in respect of products subject to the common organisation of the market in cereals, but containing no cereals, the variable component should be calculated with reference to market conditions for products which are in competition with them;

Whereas the fixed component of the levy must be designed to protect the processing industry; whereas that component should be determined on the basis of the most representative processing costs;

Whereas, for some residues of processing, protection for the industry is already assured through the protection enjoyed by the main processed product; whereas in that case the fixed component can be equal to zero;

Whereas the object of the refund should be to cover the difference between the prices of products within the Community and on the world market; whereas, for that purpose, criteria should be established for determining the refund essentially on the basis of prices of the basic products within and outside the Community and the outlets and conditions for the sale of processed products on the world market;

Whereas provision should be made for granting, at the beginning of the marketing year, a refund which takes into account the actual cost of the supply of basic products in so far as they were purchased at the end of the previous marketing year at a higher price than that ruling for the product at the beginning of the new marketing year;

Whereas, in addition to the system described above, the use of inward processing arrangements should be regulated in order to ensure a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas Article 23(2) of Regulation (EEC) No _____ provides, in trade in processed products the levy on which is calculated on the basis of barley, maize, oats, sorghum and millet, for a system which would result in lowering the price of products imported into Italy, on condition that such products may not then enter Member States without first being subject to a charge

to offset the reduction in their price; whereas, in order to avoid disturbances on the market in the above-mentioned processed products, that system must in fact be applied to them if Italy has recourse to it in respect of basic products;

Whereas provision should be made in the case of feed grain, for the exporting Member State to pay to consignors on request the subsidy which Italy has to grant in respect of deliveries of products processed from cereals, it being for the exporting Member State to inform the Italian Republic of such payment;

Whereas, for certain products such as roasted malt or roasted gluten, the levy has to be determined without it being possible to ascertain the raw material from which they were obtained; whereas, in order to avoid any possible deflections of trade because of the different systems at present existing for glucose falling within heading No 17.02 and glucose falling within heading No 17.05, the latter products should be subject to the same rules as the former,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the purposes of this Regulation, 'processed products' means the products or groups of products listed:
 - (a) in Annex A to Regulation (EEC) No _____, excluding the products falling within subheading ex 23.07 B of the Common Customs Tariff;
 - (b) in Article 1(1)(c) of Regulation No 359/67/EEC.
2. For the purposes of this Regulation, 'basic products' means the cereals listed in Article 1(a) and (b) of Regulation (EEC) No _____ and broken rice.

TITLE I

Levies

Article 2

1. The variable component of the levy shall, during the course of a given month, be equal to the average of the levies applicable for the first twenty-five days of the month preceding that of importation per metric ton of the basic product or products listed in column 3 of the Annex, multiplied by the coefficient which appears against the product in question in column 4 of the Annex. However, for products falling within tariff heading No 2302, the variable component of the levy shall be obtained by adding together the averages of the levies applicable to one metric ton of common wheat, one metric ton of barley and one metric ton of maize and multiplying that total by the coefficient which appears against each of these basic products in column 4.

In order to adjust the above-mentioned averages to the threshold price valid for the basic product in question during the month of importation, they shall be increased or reduced by the difference between that threshold price and the threshold price valid during the preceding month.

However, that adjustment shall not be made if the average of the levies applicable for the first twenty-five days of the month preceding that of importation of the basic product is equal to zero.

2. Revision of the variable component during the course of the month, to take account of a variation in the levy applicable to basic products, shall be effected by the Commission at a flat rate. The margin of variation beyond which that revision is effected shall be determined for each of the basic products in question in accordance with the procedure laid down in Article 25 of Regulation (EEC) No and Article 26 of Regulation No 359/67/EEC.

3. The variable component applicable to a processed product manufactured from durum wheat shall be equal to that applicable to a similar product manufactured from common wheat.

Article 3

The fixed component of the levy shall be equal to the amount which appears against the product in question in column 5 of the Annex.

Article 4

1. In order to prevent disturbances on the market in products listed in the Annex, in processed products obtained from those products and in products in competition with either the former or the latter, amendments may be made in accordance with the procedure laid down in Article 26 of Regulation (EEC) No _____ to:

- (a) the coefficients shown in column 4 of the Annex;
- (b) the rates shown in column 2 of the Annex, expressing the starch content of the products falling within subheading 23.02 A;
- (c) the percentages shown in footnote 1 of the Annex, relating to the starch content and the ash content of products falling within headings Nos 11.01 and 11.02.

2. The levy applicable to the products falling within subheading 07.06 A listed in the Annex shall be limited to the amount resulting from the application of the rate of duty bound under GATT.

Article 5

1. When calculating the variable component of the levy applicable to the products listed in the Annex under tariff headings and subheadings Nos 11.06 B, 11.08, 11.09, 17.02 B II, 17.05 B and 23.03 A I and intended at the time of importation for the same uses as those laid down for the granting of production refunds on:

- potato starch;
- common wheat, maize and broken rice used in the Community for the manufacture of starch;

the production refunds granted shall be taken into account.

2. For the purpose of applying paragraph 1, no account shall be taken of the increase in the production refund granted in Italy under Article 1 of Council Regulation (EEC) No _____ of _____ fixing production refunds on cereals and rice.

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No _____ and in Article 26 of Regulation No 359/67/EEC.

TITLE II

REFUNDS

Article 6

1. The refund which may be granted on processed products shall be determined with particular reference to:

- (a) the prices of the basic products used in calculating the variable component of the levy;
- (b) the quantities of basic products used in calculating the variable component of the levy;
- (c) the possible duplication of refunds applicable to various products obtained from one and the same process and one and the same product;
- (d) outlets and conditions of sale for processed products on the world market.

2. If, in the case of an export to be effected between the start of the marketing year and dates to be determined, the processed product was manufactured from a basic product harvested in the Community, in stock at the end of the preceding marketing year and not qualifying for a carry-over payment, the threshold price valid during the last month of the preceding marketing year for the basic products used in calculating the variable component of the levy may be taken into account when applying paragraph 1(a).

3. Where the world market situation or the specific requirements of certain markets so require, the refund may be varied according to destination.

4. Where paragraph 3 applies, the refund shall be paid provided it is proved that the product has been exported from the Community, as laid down

in the first indent of Article 8(1) of Regulation (EEC) No
and has reached the destination for which the refund was fixed.

However, exceptions may be made to this rule in accordance with the
procedure referred to in paragraph 5, provided conditions are laid down
which offer equivalent guarantees.

5. Additional provisions may be adopted in accordance with the procedure
laid down in Article 26 of Regulation (EEC) No _____ and Article 26
of Regulation No 359/67/EEC.

6. The refunds shall be fixed once a month.

Article 7

The refund in force on the day on which the application for a licence is
lodged shall be applied to a transaction to be carried out during the
period of validity of the licence, at the request to be lodged at the
same time as the application for a licence. In the case referred to in the
foregoing paragraph the refund shall be adjusted by reference to the
threshold price in force during the month of exportation for the basic
product or products. The adjustment shall be effected by increasing or
reducing the refund by the difference between the threshold prices valid
for 100 kilogrammes of the basic product during, respectively, the month
in which the licence was applied for and the month of exportation, multiplied
by the coefficients which appear against the processed product in question
in column 4 of the Annex.

However, for exports taking place under the conditions provided for in
Article 6(2) the adjustment may be effected on the basis of the threshold
price valid during the last month of the preceding marketing year.

Continued on page 62a

Article 8

1. When calculating the amount of the export refund applicable to the
products listed in the Annex under tariff headings or subheadings Nos
11.06 B, 11.08, 11.09, 17.02 B II, 17.05 B and 23.03 A I, account shall be
taken of the production refunds granted in respect of:

- potato starch;

A corrective amount may be fixed for malt falling within heading No 11.07 of the Common Customs Tariff. It shall be applied to the refund where this is fixed in advance. The corrective amount shall be fixed at the same time as the refund and according to the same procedure; at the request of a Member State or on its own initiative, the Commission may, however, when necessary, modify the corrective amounts in the interval.

- common wheat, maize and broken rice used in the Community for the manufacture of starch.

2. In applying paragraph 1 no account shall be taken of the increase in the production refund granted in Italy under Article 1 of Regulation (EEC) No

TITLE III

Processing traffic

Article 9

1. The quantity of basic products, of assimilated products within the meaning of Regulation No 81/67/EEC or of products processed from them on which Member States do not impose levies in view of or in consequence of the exportation of the products listed in the Annex under tariff headings or sub-headings Nos 07.06 A (a), 11.01 C to L, 11.02 A II to E, 11.06 A, 11.07, 11.08, 17.02 B II and 17.05 B, manufactured from these basic products, from these assimilated products or from products processed from them, may not exceed the quantity taken into account for determining the variable component of the levy.

2. The above-mentioned quantity may be reduced, in accordance with the procedure laid down in Article 26 of Regulation (EEC) No and in Article 26 of Regulation No 359/67/EEC, in order to take account of the need to establish a balance between the conditions for exporting processed products qualifying for an export refund and inward processing arrangements.

3. Use of inward processing arrangements shall be prohibited in respect of products listed in the Annex under headings or sub-headings Nos 11.02 G, 11. B, 11.09, 23.02 A and 23.03 A I if they are to be used in the manufacture of processed products.

TITLE IV

GENERAL PROVISIONS

Article 10

1. If Italy has recourse to Article 23(2) of Regulation (EEC) No it shall:

- impose a charge on consignments to other Member States of processed products the levy on which is calculated on the basis of barley, maize, oats, sorghum and millet, and which are listed in the Annex under tariff headings and subheadings Nos 07.06 A, 11.01 C to L, 11.02 A II to G with the exception of products listed under subheadings 11.02 A V (a) if a production refund is granted on maize used in the manufacture of these products - 11.06 A and 11.07;
- grant a subsidy on deliveries of these products from other Member States, unless that subsidy has, at the request of the consignor, been paid to him by the exporting Member State which shall forthwith inform the Italian Republic thereof.

2. The above-mentioned charge and subsidy shall be equal, per metric ton of the processed products specified in paragraph 1, to the amount of the charge applicable, under Article 23(3) of Regulation (EEC) No to the quantity of basic product used for calculating the variable component of the levy.

Article 11

The methods used for assessing the ash content, the fat content and the starch content, the denaturing process and any other method of analysis necessary for the application of this Regulation shall be determined in accordance with the procedure laid down in Article 26 of Regulation (EEC) No and Article 26 of Regulation No 359/67/EEC.

Article 12

1. Council Regulation (EEC) No 1052/68⁽¹⁾ of 23 July 1968 on the import and export system for products processed from cereals and from rice, as last amended by Regulation (EEC) No 980/75⁽²⁾, is hereby repealed.
2. References to the Regulation repealed by paragraph 1 shall be read

(1) OJ No L 179, 25.7.1968, p. 8
(2) OJ No L 95, 17.4.1975, p. 1

as references to this Regulation.

Article 13

This Regulation shall enter into force on 1 August 1975.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

ANNEX

SCT heading No	Description of goods	Basic product	Coefficient	Fixed component u.a./ton
1	2	3	4	5
07.06	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes, and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced; sago pith: A. Manioc, arrowroot, salep and other similar roots and (c) tubers with high starch content, excluding sweet potatoes	Barley	0.18	-
11.01	Cereal flours ⁽¹⁾ : C. Barley flour D. Oat flour E. Maize flour: I. Of a fat content not exceeding 1.5% by weight II. Other F. Rice flour G. Buckwheat flour H. Millet flour (x) IJ. Canary seed flour K. Sorghum flour (a) L. Other	Barley Barley Oats Maize Maize Broken rice Buckwheat Millet Canary seed Sorghum Canary seed	1.80 1.80 1.80 1.02 1.06 1.80 1.02 1.02 1.02 1.02	.5 .5 2.5 2.5 2.5 .5 2.5 2.5 2.5
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked, or ground (1); A. Cereal groats and cereal meal: II. Ruc III. Barley IV. Oats	Ruc Barley Oats	1.80 1.80 1.80	.5 .5 .5

(1) For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within headings Nos 11.01 and 11.02 are those having both of the following:

- a starch content (determined by the modified Ewero polarimetric method) exceeding 4590 by weight referred to dry matter.
- an ash content by weight, referred to dry matter (after deduction of any added mineral matter) not exceeding 1.690 for rice, 2.5% for wheat and rye, 3% for barley, 4% for buckwheat, 5% for oats and 2% for other cereals.

Germ of cereals, whole rolled, flaked or ground, falls in all cases within heading No 11.02 (b).

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- (a) Regulation (EEC) No 154/71, 26.1.1971 (CJ No L 22, 28.1.1971, p. 3)
 - (b) Regulation (EEC) No 1529/71, 12.7.1971 (CJ No L 162, 20.7.1971, p. 11)
[Regulation (EEC) No 302/69, 18.2.1969 (CJ No L 43, 20.2.1969, p. 1)]
 - (c) Regulation (EEC) No 2728/71, 20.12.1971 (CJ No L 282, 23.12.1971, p. 15)
 - (x) The German text is amended by:
Regulation (EEC) No 154/1971, 26.1.1971 (CJ No L 22, 28.1.1971, p. 3)
-

Product description	Description of goods	Basic product	Coefficient	Fixed component u.s.a./100 kg
	2	3	4	5
1.02 (cont.)	V. Maize:			
	(a) Of a fat content not exceeding 1.5% by weight:			
	1. For the brewing industry (a)	Maize	1.80	5
	2. Other	Maize	1.80	5
	(b) Other	Maize	1.02	2.5
	VI. Rice	Broken rice	1.05	2.5
	VII. Buckwheat	Buckwheat	1.80	5
	VIII. Millet	Millet	1.02	2.5
	IX. Grain sorghum	Sorghum	1.02	2.5
	X. Other	Canary seed	1.02	2.5
	B. Hulled grains (shelled or husked) whether or not sliced or kibbled:			
	I. Barley, oats, buckwheat and millet:			
	(a) Hulled (shelled or husked):			
	1. Barley	Barley	1.60	2.5
	2. Oats:			
	(aa) Clipped oats	Oats	1.02	2.5
	(bb) Other	Oats	1.80(b)	2.5
	3. Buckwheat	Buckwheat	1.60	2.5
	4. Millet	Millet	1.60	2.5
	(b) Hulled and sliced or kibbled ('Grütze' or 'grutten'):			
	1. Barley	Barley	1.60	2.5
	2. Oats	Oats	1.80(b)	2.5
	3. Buckwheat	Buckwheat	1.60	2.5
	4. Millet	Millet	1.60	2.5
	II. Other cereals:			
	(a) Wheat	Common wheat	1.33	2.5
	(b) Rye	Rye	1.33	2.5
	(c) Maize	Maize	1.60	2.5
	(d) Grain sorghum	Sorghum	1.60	2.5
	(e) Other	Canary seed	1.60	2.5

CCT heading No	Description of goods	Basic product	Coefficient	Fixed component u.a./100 kg
1	2	3	4	5
11.02' (cont.)	C. Pearled grains:			
	I. Wheat	Common wheat	1.60	2.5
	II. Rye	Rye	1.60	2.5
	III. Barley	Barley	2.50	5
	IV. Oats	Oats	1.60	2.5
	V. Maize	Maize	1.60	2.5
	VI. Buckwheat	Buckwheat	1.60	2.5
	VII. Millet	Millet	1.60	2.5
	VIII. Grain sorghum	Sorghum	1.60	2.5
	IX. Other	Canary seed	1.60	2.5

a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

b) Regulation (EEC) No 1606/71, 26.7.1971. (OJ No L 168, 27.7.71, p. 15)

CCT heading No	Description of goods	Basic products	Coefficient	Fixed component u.a./100 g
11.02 (cont.)	<p>F. Pellets:</p> <p>I. Wheat</p> <p>II. Rye</p> <p>III. Barley</p> <p>IV. Oats</p> <p>V. Maize</p> <p>VI. Rice</p> <p>VII. Buckwheat</p> <p>VIII. Millet</p> <p>IX. Grain sorghum</p> <p>X. Other</p> <p>G. Germ of cereal, whole, rolled, flaked or ground:</p> <p>I. Wheat</p> <p>II. Other</p>	<p>Common wheat</p> <p>Rye</p> <p>Barley</p> <p>Oats</p> <p>Maize</p> <p>Broken Rice</p> <p>Buckwheat</p> <p>Millet</p> <p>Sorghum</p> <p>Canary Seed</p> <p>Common wheat</p> <p>Maize</p>	<p>1.80</p> <p>1.80</p> <p>1.80</p> <p>1.80</p> <p>1.80</p> <p>1.06</p> <p>1.80</p> <p>1.02</p> <p>1.02</p> <p>1.02</p> <p>0.75</p> <p>0.75</p>	<p>5</p> <p>5</p> <p>5</p> <p>5</p> <p>5</p> <p>2.5</p> <p>5</p> <p>2.5</p> <p>2.5</p> <p>2.5</p> <p>5</p> <p>5(a)</p>
11.06	<p>Flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07 06:</p> <p>A. Denatured</p> <p>B. Other</p>	<p>Barley</p> <p>Maize</p>	<p>0.18</p> <p>1.61</p>	<p>2.5</p> <p>17</p>
11.07	<p>Malt, roasted or not:</p> <p>A. Unroasted:</p> <p>I. Obtained from wheat:</p> <p>(a) in the form of flour</p> <p>(b) Other</p> <p>II. Other:</p> <p>(a) in the form of flour</p> <p>(b) Other</p>	<p>Common wheat</p> <p>Common wheat</p> <p>Barley</p> <p>Barley</p>	<p>1.78</p> <p>1.33</p> <p>1.78</p> <p>1.33</p>	<p>9</p> <p>9</p> <p>9</p> <p>9</p>

CCT heading No	Description of goods	Basic products	Coefficient	Fixed component a.a./100
11.07	B. Roasted	Barley	1.55	9
11.08	Starches; inulin:			
	A. Starches:			
	I. Maize starch	Maize	1.61	17
	II. Rice starch	Broken rice	1.52	25.5
	III. Wheat starch	Common wheat	2.20	17
	IV. Potato starch	Maize	1.61	17
	V. Other	Wheat	1.61	17
11.09	Wheat gluten, whether or not dried:			
	A. Dried	Common wheat	4.00	150
	B. Other	Common wheat	4.00	150
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel:			
	B. Glucose and glucose syrup:			
	II. Other			
	(a) Glucose in the form of white crystalline powder, whether or not agglomerated	Maize	2.10	80
	(b) Other	Maize	1.61	55
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion:			
	B. Glucose and glucose syrup:			

CCT heading No	Description of goods	Basic product	Coefficient	Fixed component u.a./100g
17.05 (cont.)	I. Glucose in the form of white crystalline powder, whether or not agglomerated	Maize	2.10	80
	II. Other	Maize	1.61	55
23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables:			
	A. Of cereals:			
	I. Of maize or rice:			
	(a) With a starch content not exceeding 35% by weight	Common wheat Barley Maize	0.10)	0
	(b) Other:			
	1. With a starch content exceeding 35% but not exceeding 45% by weight and having undergone a denaturing process	Common wheat Barley Maize	0.16) 0.16) 0.16)	0
	2. Other	Common wheat Barley Maize	0.32 0.32 0.32	

CCT heading No	Description of goods	Basic products	Coefficient	Fixed component u.a./100g
23.03	<p>Beet-pulp, bagasse and other waste of sugar manufacture; brewing and distilling dregs and waste; residues of starch manufacture and similar residues:</p> <p>A. Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, referred to dry matter:</p> <p>I. Exceeding 40% by weight</p>	Maize	2.00	150 (a)

(a) Regulation (EEC) No 2728/71, 20.12.1971, (OJ No L 282, 23.12.1971, p. 15)

REGULATION (EEC) No OF THE COUNCIL
of
on rules for the advance fixing of levies
on cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No of (1) on
the common organization of the market in cereals, and in particular Article
15 (4) thereof ;

Having regard to the proposal from the Commission ;

Whereas the common threshold price is the Community market's sole protection
and whereas, if imports were to enter this market at prices below the threshold
price, the normal disposal of home-grown cereals would be seriously threatened ;
whereas it is therefore necessary, where the levy has been fixed in advance, to
fix the premium provided for in Article 15 (2) of Regulation (EEC) No
so that the product imported under this procedure may enter the Community
market under conditions which cannot disturb its balance ;

Whereas to this end it is necessary that this premium should cover the diffe-
rence between the c.i.f. price and a c.i.f. forward delivery price, where the
latter is lower than the former, determined on the basis of offers reflecting
the real trend of the future market ;

Whereas there are exceptional cases where special circumstances cause substan-
tial price fluctuations on the cereals market; whereas, in order to prevent such
fluctuations from adversely affecting the Community market in cereals, provision
should be made in such a case for fixing the premium at a higher level than
that resulting from application of the usual rules so as to cover the difference
between the c.i.f. price and the c.i.f. forward delivery price, or for suspending
temporarily the advance fixing of the levy, or for reducing the period for which
it is possible to obtain advance fixing of the levy ;

(1) See p..... of this Official Journal.

Whereas it is desirable, by means of the premium system, to induce the importer to respect the period indicated by him when applying for the advance fixing of a levy in accordance with Article 15 (2) of Regulation (EEC) No. although allowance should be made for the fact that the conditions of purchase customary in the international cereal trade and uncertainty about delivery time will often prevent the import from being effected during the month indicated on the import licence,

HAS ADOPTED THIS REGULATION :

Article 1

The amount of the premiums provided for in Article 15 (2) of Regulation (EEC) No. expressed in units of account per metric ton shall be the same for the entire Community.

The scale of premiums shall include a premium for the current month and a premium for each of the following months until the licence expires.

Article 2

When, for one of the products specified in Article 1 (a) and (b) of Regulation (EEC) No. , the c.i.f. price is higher than the c.i.f. forward delivery price for the same product, the rate of the premium shall, subject to the provisions set out below, be equal to the difference between the two prices.

Article 3

1. The c.i.f. price shall be the c.i.f. price as determined, in accordance with Article 13 of Regulation (EEC) No. , on the day the scale of premiums is fixed.

2. The c.i.f. forward delivery price shall be the c.i.f. price, determined in accordance with Article 13 of Regulation (EEC) No. , but calculated on the basis of offers at North Sea ports valid as follows :

a) in the case of imports to be effected during the month in which the licence was issued, for shipment during that month ;

b) in the case of imports to be effected during the month following that in which the licence was issued, for shipment during the month following that in which the import licence was issued ;

c) in the case of imports to be effected during the last months for which the licence is valid, for shipment during the month preceding the intended month of importation.

Article 4

If the c.i.f. price is equal to the c.i.f. forward delivery price or exceeds the latter by not more than 0.125 units of account per metric ton, the premium shall be equal to 0 units of account.

Article 5

1. The amount of the premium shown in the scale in force for a particular product and period shall be adjusted where application of the rules laid down in the preceding Articles entails a change in that amount of more than 0.125 units of account.

2. The scale shall remain in force until a new scale is brought into force by the Commission.

Article 6

1. If, in view of prospective imports, serious difficulties threaten to affect the Community market in the relevant product, the amount of the premium may temporarily be fixed at a higher level than that resulting from the preceding Articles.

2. However, for the month in which the import licence was issued, the amount of the premium may not exceed the amount resulting from the preceding Articles.

3. The amount of the premium may not exceed the amount resulting from the preceding Articles by more than :

- (a) 0.50 units of account for the month following that in which the licence was issued ;
- (b) 0.75 units of account for the other months for which the licence is valid, with the exception of the last month, for which the increase in the premium may go up to 1.25 units of account.

Article 7

1. In exceptional cases where special circumstances cause considerable price fluctuations on the cereals market, which could not be foreseen in the light of supply and demand on the world market, the premium may be fixed at a level higher than the resulting from the provisions of the preceding Articles.

2. The premium shall not be increased by more than the difference between the c.i.f. price fixed for each product and the last c.i.f. price fixed for each product before prices began to be affected by the special circumstances mentioned in paragraph 1.

Article 8

In the cases mentioned in Article 7, the advance fixing of the levy, in accordance with Article 15 (2) of Regulation (EEC) No _____, may be suspended, or the period for which it is possible to obtain advance fixing of the levy may be reduced, in accordance with the procedure provided for in Article 26 of Regulation (EEC) No _____.

Article 9

Rules regarding the premium from the scale laid down to be applied in exceptional cases shall be adopted as necessary, in accordance with the procedure laid down in Article 26 of Regulation (EEC) No _____.

Article 10

1. Council Regulation No 140/67/EEC ⁽¹⁾ of 21 June 1967 on rules for the advance fixing of levies on cereals, as amended by Regulation (EEC) No 2435/70 ⁽²⁾, is hereby repealed.

(1) OJ No 125, 26 June 1967, p. 2456/67

(2) OJ No L 262, 3 December 1970, p.3

2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

REGULATION (EEC) No OF THE COUNCIL

of

laying down general rules for granting export
refunds on cereals and criteria for fixing
the amount of such refunds

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No (1) of
on the common organization of the market in cereals, and in particular Article
16 (5) thereof;

Having regard to the proposal from the Commission;

Whereas export refunds on products subject to the common organization of
the market in cereals must be fixed in accordance with certain criteria which
would make it possible to cover the difference between quotations and prices
for those products within the Community and on the world market, while
respecting the general aims of the common organization; whereas to this end
the supply situation and prices for cereals within the Community and the
price situation on the world market for cereals and cereal products must
be taken into account;

Whereas, in view of the considerable fluctuations in quotations for cereals
on the world market over time and the disparity between the prices at which
cereals are offered by various countries on that market, a refund should be
fixed which, for the purpose of covering the difference between world prices
and prices ruling within the Community, particularly in view of costs
incurred in placing these products on the market, would take the difference
between representative prices within the Community and the most favourable
quotations on the world market into account;

Whereas to enable flour, groats and meal to be exported, the prices and
quantities of cereals used in the manufacture of these products within the
Community, the value of by-products and the possibilities and conditions
for the sale of these products on the world market should be taken into
account when the amount of the refund is being fixed;

(1) See p of this Official Journal

Whereas the second subparagraph of Article 16(4) of Regulation (EEC) No . . . provides for the advance fixing of export refunds on flour, groats and meal; whereas, in view of the existence of a future market in international trade in these products, provision should be made for the advance fixing of the refund in respect of exports to be effected at a later date;

Whereas provision must be made for varying the amount of the refund according to the destination of the products, since markets in the countries of destination are at varying distances from Community markets and special conditions apply to imports in certain countries of destinations;

Whereas it is important in certain situations, and particularly in periods of uncertainty or of large price fluctuations on the world markets, to ensure more precise management of exports; whereas the fixing of the refund by means of the tendering procedure seems to be a suitable method for attaining this objective;

Whereas to avoid distortions of competition between individual Community traders, the administrative conditions under which they operate must be identical throughout the Community;

Whereas to ensure Community traders sufficient stability in the amount of the refund, the period for which the amounts may remain unchanged should be fixed subject to any alterations which may be made in the intervening period pursuant to the second sentence of the fourth subparagraph of Article 16(2) of Regulation (EEC) No . . .

Whereas there does not appear to be any justification for granting a refund on cereals imported from third countries and re-exported to third countries; whereas the reimbursement, under certain conditions, of the levy collected on importation is sufficient to allow these cereals to be placed on the world market again,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down rules for fixing and granting export refunds on the products specified in Article 1 of Regulation (EEC) No . . .

Article 2

The following shall be taken into account when refunds are being fixed:

- (a) the existing situation and the future trend with regard to:
 - prices and availabilities of cereals on the Community market;
 - prices for cereals and cereal products on the world market;
- (b) the aims of the common organisation of the market in cereals, which are to ensure equilibrium and the natural development of prices and trade on this market;
- (c) the need to avoid disturbances on the Community market; and
- (d) the economic aspect of the proposed exports.

Article 3

Refunds on the products specified in Article 1(a) and (b) of Regulation (EEC) No shall be fixed in accordance with the following specific criteria:

- (a) cereal prices ruling on the various representative export markets of the Community;
- (b) the most favourable quotations recorded on the various markets of importing third countries; and
- (c) marketing costs and the most favourable transport charges from the Community markets referred to in (a) to ports or other points of export in the Community serving these markets, as well as costs incurred in placing the goods on the world market.

Article 4

1. For the products specified in Article 1(c) of Regulation (EEC) No the refund applicable on the day on which the application for an export licence is lodged, adjusted on the basis of the threshold price in force during the month of exportation, shall be applied to exports to be effected during the period of validity of the export licence if the applicant so

requests when applying for the licence (the request to be made not later than 13.00 hours).

A corrective amount may be fixed. It shall be applied to the refund where this is fixed in advance. The corrective amount shall be fixed at the same time as the refund according to the same procedure; however, when necessary, the Commission, following a request from a Member State or on its own initiative, may modify the corrective amounts in the interval.

2. Refunds shall be fixed in accordance with the following specific criteria:

- (a) cereal prices ruling on the various Community markets;
- (b) the quantities of cereals required for the manufacture of the products in question and the value of by-products;
- (c) possibilities and conditions for the sale of these products on the world market.

Article 5

1. The refund on the products specified in Article 1(a) and (b) of Regulation (EEC) No may be fixed, where appropriate, by means of the tendering procedure. Tenders shall relate to the amount of the refund.

2. Detailed rules for the application of paragraph 1 shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No .

Article 6

1. The refund may be increased by a compensatory amount in respect of stocks of common wheat, durum wheat, rye, barley and maize harvested within the Community in hand at the end of the marketing year and forming part of that year's crop which are exported in the natural state or in the form of products specified in Article 1(c) of Regulation (EEC) No between the beginning of the following marketing year and dates still to be determined.

Before 15 March of each year the Council, acting by a qualified majority on a proposal from the Commission, shall, if necessary, determine the cereals to which the provisions of the preceding subparagraph shall apply.

2. The compensatory amount for each cereal shall be equal to the difference between the target price valid for the last month of the marketing year and that valid for the first month of the new marketing year.

This amount shall however be reduced by the amount of the carry-over payment already granted pursuant to Article 9(2) and, where appropriate, Article 9(1) of Regulation (EEC) No .

3. The compensatory amount shall be granted only if stocks reach a minimum level.

Article 7

Where the world market situation or the specific requirements of certain markets make this necessary, the refund for the Community on the products specified in Article 1(a), (b) and (c) of Regulation (EEC) No may be varied according to destination.

Article 8

1. The refund shall be paid upon proof:

- that the products have been exported from the Community, and
- that the products specified in Article 1(a) and (b) of Regulation (EEC) No are of Community origin, except where Article 10 of this Regulation applies.

2. Where Article 7 applies, the refund shall be paid under the conditions laid down in paragraph 1 of this Article, provided it is proved that the product has reached the destination for which the refund was fixed.

Exceptions may be made to this rule in accordance with the procedure referred to in paragraph 3 of this Article, provided conditions are laid down which offer equivalent guarantees.

3. Additional provisions may be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No

Article 9

The refunds on the products specified in Article 1(a), (b) and (c) of Regulation (EEC) No shall be fixed at least once a month.

Article 10

No export refund shall be granted on products specified in Article 1(a) and (b) of Regulation (EEC) No , which are imported from third countries and re-exported to third countries, unless the exporter proves:

- that the product to be exported and the product previously imported are one and the same, and
- that the levy was collected on importation.

In such cases the refund on each product shall be equal to the levy collected on importation where this levy is lower than the refund applicable on the day of exportation; the refund shall be equal to the refund applicable on the day of exportation where the levy collected on importation is higher than this refund.

Article 11

1. Council Regulation No 139/67/EEC⁽¹⁾ of 21 June 1967 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 87/75⁽²⁾, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

A table is provided in the Annex for the purposes of correlating references to the preamble and Articles of that Regulation with those of this Regulation.

(1) OJ No 125, 26 June 1967, p. 2453/67
(2) OJ No L 11, 16 January 1975, p. 3

Article 12

This Regulation shall enter into force on

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

ANNEX

CORRELATION TABLE

Regulation No 139/67/EEC

This Regulation

Article 4a

Article 5

Article 5

Article 6

Article 6

Article 7

Article 7

Article 8

Article 8

Article 9

Article 9

Article 10

REGULATION (EEC) No OF THE COUNCIL
of

laying down general rules to be applied in the
event of the cereals market being disturbed

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No (1) of
on the common organization of the market in cereals, and in particular the
second paragraph of Article 19 thereof;

Having regard to the proposal from the Commission;

Whereas Article 19 of Regulation (EEC) No provides that, when
the quotations of prices on the world market of one or more of the products
mentioned in Article 2 of that Regulation reach the level of Community prices,
and if that situation is likely to continue and deteriorate, thereby
disturbing or threatening to disturb the Community market, the necessary
measures may be taken;

Whereas the general rules for applying these provisions, and in particular
the criteria for establishing whether quotations of prices on the world market
have reached the level of Community prices and for deciding whether the
situation is likely to continue, should be laid down;

Whereas, to avoid disturbances on the Community market, it is necessary
to ensure an adequate supply of cereals; whereas, to this end, levies could
be charged on exports and the issue of export licences could be totally
or partially suspended;

Whereas it is also necessary to establish criteria for calculating the export
levies, having regard to the economic situation and the need to comply with
the criteria governing export arrangements;

Whereas Community obligations to supply food aid are such that exports of
products for that purpose should be excluded from the scope of this
Regulation;

HAS ADOPTED THIS REGULATION:

(1) See p. of this Official Journal

Article 1

1. For the purposes of Article 19 of Regulation (EEC) No quotations or prices on the world market shall be regarded as having reached the level of Community prices when they approach or exceed the threshold price.
2. The situation referred to in paragraph 1 shall be regarded as being likely to continue and deteriorate when an imbalance between supply and demand is established and where this imbalance is likely to persist, having regard to foreseeable production and market price trends.
3. The Community market shall be regarded as being disturbed or threatened with disturbance, as a result of the situation referred to in paragraph 1 and 2, where international trade prices are so high as to impede the importation of products mentioned in Article 2 of Regulation (EEC) No into the Community, or provoke the exportation of such products from the Community, so as to put at risk the stability of the market or the security of supplies.

Article 2

1. Where the conditions specified in Article 19 of Regulation (EEC) No are met, in accordance with the criteria laid down in Article 1, the following measures may be taken:
 - application of an export levy; in addition, a special export levy may be the subject of a tendering procedure in respect of a fixed quantity,
 - fixing of a time limit for the issue of export licences,
 - total or partial suspension of the issue of export licences,
 - total or partial rejection of outstanding applications for the issue of export licences.
2. The measures provided for in paragraph 1 may be taken in respect of one or more of the products specified in Article 1 of Regulation (EEC) No where this is made necessary by the market situation or the relationship between those products.

3. The measures provided for in paragraph 1 shall be repealed as soon as it is found that, for a period of three consecutive weeks, the condition referred to in Article 1(1) is no longer fulfilled.

Article 3

1. The following shall be taken into account when the export levy is being fixed for the products specified in Article 1(a) and (b) of Regulation (EEC) No :

(a) situation and trends:

- as regards cereal prices and available quantities on the Community market;
- as regards cereal prices and prices of products falling within the cereals sector on the world market;

(b) the objectives of the common organization of the market in cereals, namely to balance that market both as regards supplies and as regards trade;

(c) the need to avoid disturbances on the Community market;

(d) the economic aspect of the exports.

2. The factors listed in paragraph 1 shall apply when the export is being fixed for the products specified in Article 1(c) and (d) of Regulation (EEC) No , excluding products falling within headings Nos. 1108 A I, III, IV and V and 1 .09 and subheadings 17.02 B II, 17.05 B and 23.03 A I of the Common Customs Tariff. In addition, the following specific factors shall be taken into account:

(a) prices charged for cereals on the various Community markets;

(b) quantity of cereals required to manufacture the products concerned and, where appropriate, the value of by-products;

(c) outlets and conditions of sale on the world market for those products.

3. Where the situation on the world market or the specific requirements of certain markets so require, the export levy may be differentiated.

4. The export levy to be charged shall be that in force on the day of exportation.

However, the export levy in force on the day on which the licence is applied for may, on application from the interested party lodged at the same time as the application for a licence and before 1300 hours, be applied to exports to be effected during the period of validity of that licence.

5. No levy shall be applied to exports effected by way of food aid under Article 22a of Regulation (EEC) No .

Article 4

1. Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No

2. The following the same procedure and for each product

- the decision to institute the measures provided for in Article 2 and to discontinue the measures provided for in the second and third indents of Article 2(1) shall be taken,
- the export levy shall be fixed at regular intervals.

3. If necessary, the Commission may institute or modify the export levy.

Article 5

In an emergency the Commission may take the measures provided for in the third and fourth indents of Article 2(1). It shall notify its decision to the Member States and shall publish it on the notice boards at its Headquarters.

The measures shall, by virtue of such Decision, be applied to the relevant products from the date specified to this end; this day shall be subsequent to that of notification.

The decision on the measures provided for in the third indent of Article 2(1) shall be applicable for a period not exceeding 7 days.

Article 6

1. Council Regulation (EEC) No 1968/73⁽¹⁾ of 14 July 1973 laying down general rules to be applied in the event of the cereals market being disturbed, as last amended by Regulation (EEC) No 86/75⁽²⁾, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

Article 7

This Regulation shall enter into force

This Regulation shall be binding in its entirety and directly applicable in all Member States.

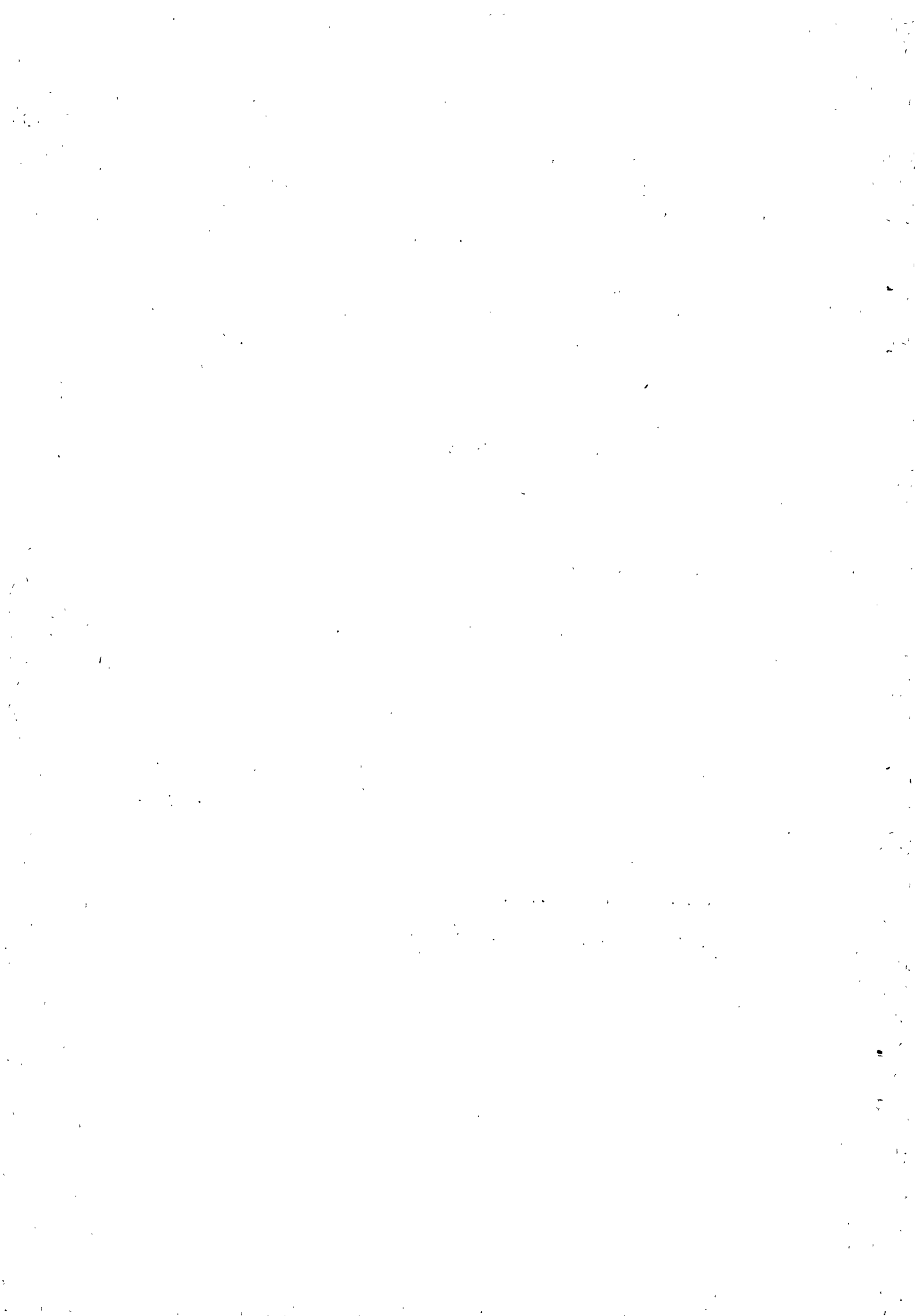
Done at Brussels,

For the Council

The President

(1) OJ No L 201, 21 July 1973, p. 10

(2) OJ No L 11, 16 January 1975, p. 2



Proposal for consolidation of Regulation (EEC) n° 1173/75

The Commission proposes the Council that, as part of the consolidation of all acts of the Council relating to cereales' sector, it should also proceed to adopt the text of Council Regulation (EEC) n° 1173/75 of 28 April 1975 fixing the threshold prices for cereales for the 1975/76 marketing year (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form and which should be integrated into the text :

References

Former text

New text

Sole article

article 1

article 2

1. Council Regulation (EEC) n° 1173/75 of 28 April 1975 fixing the threshold prices for cereals for the 1975/76 marketing year (1), is hereby repealed.

2. All references to the Regulation repealed by virtue of paragraph shall be treated as references to this Regulation.

article 3

This Regulation shall enter into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference sitting out their new number in accordance with the following table :

Relevant provisions

Reference take replaced

2e visa :

120/67/EEC of 13 June 1967 as last amended by Regulation (EEC) n° 665/75.

1° recital

120/67/EEC
666/75

2° recital

120/67/EEC

(1) O.J. n° L 117, 7.5.1975, p. 6

Proposal for consolidation of Regulation (EEC) No 3375/73

The Commission proposes to the Council that, as part of the consolidation of all acts of the Council relating to the cereals' sector, it should also proceed to adopt the text of Council Regulation (EEC) No 3375/73 of 10 December 1973 on the importation into the Community of certain agricultural products originating in Turkey (1).

The consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text:

References

Former text

New text

article 5

The text of article 5 shall be replaced by:

1. Council Regulation (EEC) No. 3375/73 of 10 December 1973 on the importation into the Community of certain agricultural products originating in Turkey (1), is hereby repealed.
2. All references to the Regulation repealed by virtue of paragraph shall be treated as references to this Regulation.

Article 6

This Regulation shall enter into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference setting out their new number in accordance with the following table:

Relevant provisions

Reference to be replaced

(1) OJ No L 345, 15.12.1973, p. 1

Proposal for consolidation of Regulation (EEC) No 1464/69

The Commission proposes to the Council that, as part of the consolidation of all acts of the Council relating to the cereals' sector, it should also proceed to adopt the text of Council Regulation (EEC) No 1464/69 of 23 July 1969 on imports of durum wheat from Morocco (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text:

References

Former text

New text

article 2

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities.

Article 3

1. Council Regulation (EEC) No 1464/69 of 23 July 1969 on imports of durum wheat from Morocco (1), is hereby repealed.

2. All references to the Regulation repealed by virtue of paragraph shall be treated as references to this Regulation.

Article 4

This Regulation shall enter into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference setting out their new number in accordance with the following table:

Relevant provisions

Reference to be replaced

article 1

120/67/EEC

(1) OJ No L 197, 8.8.1969, p. 91

Proposal for consolidation of Regulation (EEC) No 1234/71

The Commission proposes to the Council that, as part of the consolidation of all acts of the Council relating to the cereals' sector, it should also proceed to adopt the text of Council Regulation (EEC) No 1234/71 of 7 June 1971 on imports of certain cereals from Turkey (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text:

References

Former text

New text

article 6

The text of article 6 shall be replaced by:

1. Council Regulation (EEC) No. 1234/71 of 7 June 1971 on imports of certain cereals from Turkey (1), is hereby repealed.

2. All references to the Regulation repealed by virtue of paragraph shall be treated as references to this Regulation.

Article 7

This Regulation shall enter into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference setting out their new number in accordance with the following table:

Relevant provisions

Reference to be replaced

1st recital

120/67/EEC 13 June 1967 as last amended by Regulation (EEC) No 2434/70 (3)

2nd recital

120/67/EEC

Article 1

120/67/EEC

Article 2

120/67/EEC

Article 3

120/67/EEC

Article 4

120/67/EEC

(1) OJ No L 130, 16.6.1971, p. 53

Proposal for consolidation of Regulation (EEC) No 3581/73

The Commission proposes to the Council that, as part of the consolidation of all acts of the Council relating to the cereals' sector, it should also proceed to adopt the text of Council Regulation (EEC) No 3501/73 of 28 December 1973 derogating from Regulation (EEC) No 1693/72 in respect of the procedures laid down for the mobilization of food aid to the countries of the Sahel (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text:

<u>References</u>	<u>Former text</u>	<u>New text</u>
2nd visa	article 220 The text of article 2 shall be replaced by:	<u>article 28</u> 1. Council Regulation (EEC) No 3581/73 of 28 December derogating from Regulation (EEC) No. 1693/73 in respect of the procedures laid down for the mobilization of food aid to the countries of the Sahel (1), is hereby repealed. 2. All references to the Regulation repealed by virtue of paragraph shall be treated as references to this Regulation.
		<u>article 3</u> This Regulation shall enter into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference setting out their new number in accordance with the following table:

<u>Relevant provisions</u>	<u>Reference to be replaced</u>
title	1693/72
2nd visa	120/67/EEC 13 June 1967 as last amended by Regulation (EEC) No 1346/73 (2)
3rd recital	1693/72 3 August 1972
article 1	1693/72

(1) OJ No L 359, 28.12.1973, p. 49

Proposal for consolidation of Regulation (EEC) No 3233/74

The Commission proposes to the Council that, as part of the consolidation of all acts of the Council relating to the cereals' sector, it should also proceed to adopt the text of Council Regulation (EEC) No 3233/74 of 17 December 1974 derogating from Regulation (EEC) No. 1693/72 in respect of the procedures laid down for the mobilization of food aid to the countries of the Sahel and Ethiopia (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text:

References

Former text

New text

2nd visa
article 2

Article 22a
The text of Article 2
shall be replaced by:

Article 28

1. Council Regulation (EEC) No. 3233/74 of 17 December 1974 derogating from Regulation (EEC) No. 1693/72 in respect of the procedures laid down for the mobilization of food aid to the countries of the Sahel and Ethiopia (1), is hereby repealed.
2. All references to the Regulation repealed by virtue of paragraph shall be treated as references to this Regulation.

Article 3

This Regulation shall enter into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference setting out their new number in accordance with the following table:

Relevant provisions

Reference to be replaced

2nd visa

120/67/EEC 13 June 1967
as last amended by Regulation
(EEC) No. 1996/74 (2)

2nd recital
article 1

1693/72 3 August 1972
1693/72

(1) OJ No L 346, 24.12.1974, p. 1

Proposal for consolidation of Regulation (EEC) No. 1359/73

The Commission proposes to the Council that, as part of the consolidation of all acts of the Council relating to the cereals' sector, it should also proceed to adopt the text of Council Regulation (EEC) No 1359/73 of 15 May 1973 on the reduction in the levy applicable to certain imports of feed grain into the Italian Republic as from the 1973/74 marketing year (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text:

References

Former text

New text

article 2

The text of article 2 shall be replaced by:

1. Council Regulation (EEC) No. 1359/73 of 15 May 1973 on the reduction in the levy applicable to certain imports of feed grain into the Italian Republic as from the 1973/74 marketing year (1), is hereby repealed.
2. All references to the Regulation repealed by virtue of paragraph shall be treated as references to this Regulation.

Article 3

This Regulation shall enter into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference setting out their new number in accordance with the following table:

Relevant provisions

2nd visa

Reference to be replaced

120/67/EEC 13 June 1967
as last amended by Regulation
(EEC) No 1346/73 (2).

(1) OJ No L 141, 28.5.1973, p. 32

Proposal for consolidation of Regulation (EEC) No 1693/72

The Commission proposes to the Council that, as part of the consolidation of all acts of the Council relating to the cereals' sector, it should also proceed to adopt the text of Council Regulation (EEC) No 1693/72 of 3 August 1972 fixing criteria for the mobilization of cereals intended as food aid (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text:

References

Former text

New text

1st visa, 1st recital

Article 22a
The text of article 8
shall be replaced by:

Article 28

1. Council Regulation (EEC) No 1693/72 of 3 August 1972 fixing criteria for the mobilization of cereals intended as food aid (1), is hereby repealed.

2. All references to the Regulation repealed by virtue of paragraph shall be treated as references to this Regulation.

Article

This Regulation shall enter into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference setting out their new number in accordance with the following table:

Relevant provisions

Reference to be replaced

2nd visa

120/67/EEC 13 June 1967
as last amended by Regulation
(EEC) No 796/72 (2).

1st recital

120/67/EEC

article 1

120/67/EEC

article 5, paragraph 2

120/67/EEC

article 6

120/67/EEC

article 7, paragraph 6

120/67/EEC

(1) OJ No L 178, 5.8.1972, p. 3

Proposal for consolidation of Regulation (EEC) No 2591/69

The Commission proposes to the Council that, as part of the consolidation of all acts of the Council relating to the cereals' sector, it should also proceed to adopt the text of Council Regulation (EEC) No 2591/69 of 18 December 1969 laying down conditions for applying protective measures in the market in cereals (1).

This consolidation involves certain adaptations of a formal nature which are shown below in a simplified form, and which should be integrated into the text:

References

Former text

New text

article 5

The text of article 5 shall be replaced by:

1. Council Regulation (EEC) No. 2591/69 of 18 December 1969 laying down conditions for applying protective measures in the market in cereals (1), is hereby repealed.

2. All references to the Regulation repealed by virtue of paragraph shall be treated as references to this Regulation.

Article 6

This Regulation shall enter into force on 1 August 1975.

Besides references to Regulations which by reason of their consolidation stand repealed shall be replaced by a reference setting out their new number in accordance with the following table:

Relevant provisions

Reference to be replaced

2nd visa

120/67/EEC 13 June 1967 as last amended by Regulation (EEC) No. 2463/69 (2).

1st recital

120/67/EEC

5th recital

120/67/EEC

7th recital

120/67/EEC

8th recital

120/67/EEC

(1) OJ No L 324, 27.12.1969, p. 2

Relevant provisions

Reference to be replaced

article 1

120/67/EEC

article 2, paragraph 1

120/67/EEC

article 3, subparagraph 1

120/67/EEC

article, 3 subparagraph 3

120/67/EEC

article 4, paragraph 1

120/67/EEC

article 4, paragraph 2

120/67/EEC

REGULATION (EEC) No OF THE COUNCIL

of

laying down general rules for the system of
compensatory amounts for cereals and fixing
these for certain products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community⁽¹⁾, signed at Brussels on 22 January 1972, and in particular Article 55(6) and Article 62(1) of the Act annexed thereto;

Having regard to the proposal from the Commission;

Whereas Articles 51 and 52 of the Act provide that the prices to be applied in the new Member States shall be fixed at a level different from that of the common prices; whereas under Article 55 of the Act the differences in price levels are to be compensated by a system of compensatory amounts;

Whereas, pursuant to Article 73 of the Act, Articles 51 and 52 of the Act apply to the derived intervention prices for cereals;

Whereas the compensatory amounts fixed for the products in question and applicable in trade between the Community as originally constituted and the new Member States, and between the new Member States and third countries, are equal to the difference between the prices fixed for the new Member State in question and the common prices;

Whereas the rules for determining the level of compensatory amounts for other cereals must, in the light of Article 74(1) of the Act, be so drawn up as to achieve a progressive alignment on the price ratio in the Community;

(1) OJ No L 73, 27.3.1972, p. 5

Whereas it should be made clear that the application of Article 55(1) (b) of the Act involves deduction of the compensatory amount from the levy or refund;

Whereas it is necessary to provide for the possible introduction, should the necessity arise, of a system of rules for advance fixing of the compensatory amount;

Whereas Article 55(3) of the Act provides that the compensatory amounts applicable in trade between the now Member States shall be determined by direct reference to the compensatory amounts fixed for each of those States; whereas these provisions should be clarified by specifying that each case the amount should be equal to the price difference between the Member States in question used for determining the compensatory amounts applicable in trade with the Community as originally constituted;

Whereas, in accordance with Article 74(2) of the Act, the compensatory amounts for products covered by Council Regulation (EEC) No _____ of _____ on the common organization of the market in cereals⁽²⁾, are derived from the compensatory amount for the cereals to which they relate with the aid of the coefficients or rules used in determining the levy, or the variable component of the levy, on these products; whereas the coefficients in question were determined in Council Regulation (EEC) No _____ on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, in Council Regulation (EEC) No _____ on the import and export system for products processed from cereals and from rice⁽⁴⁾, and in Council Regulation (EEC) No _____ fixing the standard qualities for certain cereals and categories of flour, groats and meal and the rules for fixing the threshold prices of these categories of products⁽⁵⁾, whereas it is, however, necessary to specify that they are applicable in certain cases;

Whereas, since the purpose of compensatory amounts in intra-Community trade is to promote the satisfactory circulation of products between Member States with different price levels, a compensatory amount should be levied on imports to a Member State with a higher price level, and conversely, such an amount should be granted on exports to a Member State with a lower price level;

Whereas, therefore, it follows from Article 55(1) (a) of the Act, according to which compensatory amounts are levied by the importing Member State or granted by the exporting Member State, that it is for the Member State with the highest price level to grant or levy these amounts;

(2) See p. _____ of this Official Journal (4) See p. _____ of this Official Journal
(3) See p. _____ of this Official Journal (5) See p. _____ of this Official Journal

Whereas Article 56 of the Act provides that appropriate measures may be taken with a view to ensuring the proper functioning of the common organization of markets if the world market price is higher than the price used in calculating the import charge introduced under the common agricultural policy, less the compensatory amount; whereas the measures aforesaid may in particular provide for the limited charge introduced under the common agricultural policy, less the compensatory amount; whereas the measures aforesaid may in particular provide for the limited charge or grant of compensatory amounts, depending on the fluctuations in prices on the world market; whereas the terms on which these are to be limited must be fixed; whereas the limitation should be reflected equally in the compensatory amounts applicable to products processed from cereals;

Whereas appropriate measures must be taken to avoid deflection of trade where, in trade between a new Member State and third countries, the compensatory amount is to be deducted from the refund or where the refund, if fixed at all, is lower than the compensatory amount;

Whereas detailed rules for levying and granting compensatory amounts should be such as to avoid deflections in trade caused, in particular, by differences in their levels;

Whereas for the sake of clarity the Commission should be authorized to publish the compensatory amounts fixed by the Council in the Annex listing those fixed by the Commission;

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory amounts applicable until 31 July 1976 in trade between the Community as originally constituted and the new Member States, and between the new Member States and third countries, shall, for the following products, be as follows:

	Trade with		
	Denmark u.a./metric ton	Ireland u.a./metric ton	United Kingdom u.a./metric ton *
Common wheat			
Barley			

*Tables to be completed following addition of Commission proposal currently under consideration.

Article 2

1. The compensatory amounts applicable until 31 July 1976 in trade between the Community as originally constituted and the new Member States, and between the new Member States and third countries, shall be calculated by applying the following coefficients to the compensatory amounts for the reference cereals:

Compensatory amounts for	Reference cereal	Coefficients applicable in trade with		
		Denmark	Ireland	United Kingdom *
Durum wheat	Common wheat			
Rye	Barley			
Oats	Barley			
Maize	Barley			
Millet	Barley			
Grain sorghum	Barley			

2. For subsequent calculations, the difference in the price ratio between the reference cereal and each of the cereals in question in the new Member States on the one hand and the Community as originally constituted on the other shall be gradually eliminated at the rate specified in Article 52(2) of the Act.

The price rates on which the calculation is based shall, for each new Member State, be that resulting from the application of the compensatory amount for the preceding marketing year and, for the Community, that used for fixing the threshold prices for the new marketing year.

3. The compensatory amount for common wheat rendered unfit for human consumption by denaturing as specified in Article 7 of Regulation (EEC) No shall be that applicable to barley.

No. compensatory amount shall be fixed for products:

- (a) Falling within subheadings Nos 10.07 A and D of the Common Customs Tariff;
- (b) Falling within heading No 10.02 and subheadings Nos 10.05 B and 10.07 B and C of the Common Customs Tariff in trade between the Community as originally constituted and Denmark.

Article 3

The compensatory amounts applicable in trade between two new Member States shall be equal to:

- the compensatory amounts applicable in trade with the Community as originally constituted where there is no compensatory amount fixed in trade between the Community and one of the Member States in question;
- the difference between the amounts applicable in trade between each of those new Member States and the Community as originally constituted in other cases.

Article 4

The compensatory amounts applicable to the products specified in Article 1(c) and (d) of Regulation (EEC) No shall be determined with the aid of the coefficients given in Regulations (EEC) Nos.

Article 5

In trade between new Member States and between those States and the Community as originally constituted, the compensatory amounts shall be levied or granted by that one of the two Member States in question whose price level used in determining the compensatory amounts is the higher.

In trade between new Member States and third countries, the compensatory amounts shall be deducted from the levy or refund.

Article 6

1. The compensatory amount applicable shall be that ruling on the day of importation or exportation.
2. However, should the necessity arise, the decision may be made, in accordance with the procedure referred to in Article 9(1), to institute a system of advance fixing of the compensatory amount.

Article 7

1. If for any product referred to in Article 1 or Article 2(1) the levy is lower than the compensatory amount fixed for that product or calculated in respect thereof by applying Article 2, the Commission shall apply the scale set out in the Annex to determine the amount applicable by way of compensatory amount in trade between the Community as originally constituted and the new Member States and between those States and third countries.

Where, however, the amount of levy lies within the range of values which includes the compensatory amount fixed in Article 1 or resulting from the application of Article 2, that compensatory amount shall continue to apply.

2. For the products referred to in Article 1(c) of Regulation (EEC) No the amount applicable by way of compensatory amount shall be determined by the Commission in accordance with the terms and on the conditions set out in the foregoing paragraph, the amount to be taken for purposes of levy being in this case the levy chargeable in respect of the product in question reduced by the amount representing the component for protection of the processing industry referred to in Regulation (EEC) No

3. For the products referred to in Article 1(d) of Regulation (EEC) No the amount applicable by way of compensatory amount shall be determined by the Commission by reference to the variations in the amount or amounts determined under paragraph 1 for the basic cereals concerned.

4. The provisions of Article 3 shall apply to determination of these amounts in respect of trade between two new Member States.

Article 8

Where, for a given product, a compensatory amount is fixed and the refund, if fixed at all, is lower than the compensatory amount, then, when the product in question is exported to a third country, an amount not exceeding the difference between the compensatory amount and the refund or, as the case may be, not exceeding the compensatory amount may be levied in the new Member State in question.

Article 9

Detailed rules for granting, levying and recovering compensatory amounts shall be such as to avoid possible deflections of trade and distortions of competition, and adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No

Detailed rules for the application of this Regulation, and in particular the compensatory amounts other than those determined in Article 1, shall be adopted by the same procedure.

The Commission shall be authorized to publish the compensatory amounts together with those fixed in Articles 1 and 2(3).

Article 10

1. Regulation (EEC) No 229/73 of the Council of 31 January 1973 laying down general rules for the system of compensatory amounts for cereals and fixing them for certain products⁽¹⁾, as amended by Regulation (EEC) No 1060/74⁽²⁾, is repealed.

2. References to the Regulation repealed in pursuance of paragraph 1 shall be deemed to apply to this Regulation.

Article 11

This Regulation shall enter into force on 1 August 1975.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council,

The President

(1) OJ No L 27, 1.2.1973, p. 25
(2) OJ No L 197, 19.7.1974, p. 1

ANNEX

Amount of Community levy u.a./ton	Amounts applicable by way of compensatory amount u.a./ton
from 100.00 to 96.01	98.00
from 96.00 to 92.01	94.00
from 92.00 to 88.01	90.00
from 88.00 to 84.01	86.00
from 84.00 to 80.01	82.00
from 80.00 to 76.01	78.00
from 76.00 to 72.01	74.00
from 72.00 to 68.01	70.00
from 68.00 to 64.01	66.00
from 64.00 to 60.01	62.00
from 60.00 to 56.01	58.00
from 56.00 to 52.01	54.00
from 52.00 to 48.01	50.00
from 48.00 to 44.01	46.00
from 44.00 to 40.01	42.00
from 40.00 to 36.01	38.00
from 36.00 to 32.01	34.00
from 32.00 to 28.01	30.00
from 28.00 to 24.01	26.00
from 24.00 to 20.01	22.00
from 20.00 to 16.01	18.00
from 16.00 to 12.01	14.00
from 12.00 to 8.01	10.00
from 8.00 to 4.01	6.00
from 4.00 to 0.01	2.00
0	0

REGULATION (EEC) No OF THE COUNCIL
of

laying down general rules concerning the components designed to ensure, within the cereals and rice sectors, the protection of the processing industry, and fixing those components in respect of the new Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty⁽¹⁾ concerning the Accession of new Member States to the European Economic Community and to the European Atomic Energy Community, signed on 22 January 1972, and in particular Article 61(2) of the Act⁽²⁾ annexed thereto;

Having regard to the proposal from the Commission;

Whereas Article 61(2) of the said Act provides that the amount of the component for the protection of the processing industry in the new Member States is to be determined in respect of products covered by Council Regulation (EEC) No (3) of on the common organization of the market in cereals and Council Regulation No 359/67/EEC⁽⁴⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 660/75⁽⁵⁾ by separating out, from the total charge on imports from third countries applied by the new Member States on 1 January 1972, the component or components designed to ensure the protection of their processing industry;

Whereas, in order to obtain a complete table of the components designed to ensure the protection of the processing industry within the enlarged Community, the components for the protection of industry in the Community as originally constituted should be reprinted alongside the components applicable by the new Member States;

(1) OJ No L 73, 27.3.1972, p. 5
(2) OJ No L 73, 27.3.1972, p. 14
(3) OJ No

(4) OJ No 174, 31.7.1967, p. 1
(5) OJ No L 72, 20.3.1975, p. 18

Whereas account must be taken of the more favourable conditions enjoyed by certain third countries in their trade with the new Member States within the framework of the system of preferences;

Whereas it is necessary to determine those products for which no fixed component shall be payable, pursuant to the Agreement referred to in Article 64 of the Act, in trade between Ireland and the United Kingdom;

Whereas the component for the protection of the processing industry of a new Member State may take a different form from the component applied in the Community as originally constituted; whereas the change necessary in the form of protection during the period of alignment should be effected in the best possible conditions,

HAS ADOPTED THIS REGULATION:

Article 1

1. The components mentioned in Article 61 of the Act which are designed to ensure the protection of the processing industry and are hereinafter referred to as 'fixed components' levied in respect of products covered by Regulation (EEC) No and Regulation No 359/67/EEC on imports from the new Member States into the Community as originally constituted and on imports from the other Member States into each new Member States, or which replace for the new Member States the Community protective component of the charge on imports from third countries are fixed or reprinted, as the case may be, in the Annex.

2. Without prejudice to the application of Article 59(4) of the Act, the fixed components provided for in paragraph 1 above shall be applicable until 31 July 1973 in respect of products covered by Regulation (EEC) No and until 31 August 1973 in respect of products covered by Regulation No 359/67/EEC.

3. For subsequent marketing years:

- as regards imports into the new Member States from third countries, the former shall determine the fixed components provided for in paragraph 1 above, adjusted in accordance with Article 59(2) of the Act, account being taken, where appropriate, of Article 4 of this Regulation;

If the Community fixed component is altered or suspended, the new Member States shall simultaneously alter or suspend the basic fixed component applicable to imports from third countries to the extent envisaged under Article 59(2) of the Act;

- as regards trade within the Community, the Commission shall determine the fixed components provided for in paragraph 1 above, adjusted in accordance with Article 59(1) of the Act, account being taken, where necessary, of any authorizations granted under Article 59(4) of that Act.

Article 2

Notwithstanding Article 1(1), those new Member States which, under preferential agreements, applied before their accession more favourable arrangements to imports from the third countries with which those agreements were concluded shall, in accordance with Article 59(2) of the Act, account being taken of Article 4 of this Regulation, adjust the reduced fixed components applicable to those third countries, the components in force on 1 January 1972 being considered as basic duties.

Article 3

No fixed component shall be levied:

- (a) on the importation into the United Kingdom on the products referred to in Article 1(2), coming from and originating in Ireland;
- (b) on the importation into Ireland of malt and products falling within subheading 23.07 ex B of the Common Customs Tariff, designated as "balancer meals, mineral mixtures and concentrates", coming from and originating in United Kingdom;
- (c) in trade between the United Kingdom and Denmark in malt, whether roasted or not, falling within heading No 11.07 of the Common Customs Tariff and originating in those Member States.

Article 4

Where in a new Member State the fixed component is ad valorem, it shall be aligned on the specific fixed component applied in the Community as originally constituted, in accordance with the following provisions:

- in the first stage, the new Member State shall apply as the fixed component:
 - (a) a specific amount equal to one-fifth of the Community fixed component;
 - (b) an ad valorem amount equal to the original ad valorem amount which was applied in that Member State on 1 February 1973 reduced by one-fifth;
- at each subsequent stage the specific amount shall be increased by one-fifth of the Community fixed component and the ad valorem amount shall be reduced by one-fifth of the original ad valorem component;
- if the Community component is altered, the increase or reduction of the specific amount provided for in (a) shall be so calculated as to remain constant at each subsequent stage.

Article 5

Detailed rules for the application of this Regulation shall be adopted, as and when necessary, in accordance with the procedure laid down in Article 26 of Regulation (EEC) No _____ and Regulation No 359/67/EEC.

Article 6

1. Council Regulation (EEC) No 224/73⁽¹⁾ of 31 January 1973 laying down general rules concerning the components designed to ensure, within the cereals and rice sectors, the protection of the processing industry, and fixing those components in respect of the new Member States, as amended by Regulation (EEC) No 1070/74⁽²⁾, is hereby repealed.
2. References to the Regulation repealed by paragraph 1 shall be read as references to this Regulation.

A table is provided in Annex II for the purpose of correlating citations of and references to Articles of that Regulation with those of this Regulation.

Article 7

This Regulation shall enter into force on 1 August 1975.

This Regulation shall be binding in its entirety; and directly applicable in all Member States.

Done at Brussels,

For the Council,

(1) OJ No L 27, 1.2.1973, p. 8 (2) OJ No L 120, 1.5.1974, ~~President~~ The President

ANNEX I

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed components (u.a./ton)			
07.06	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced; sago piths A. Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes	0	0	0	manioc o other 5%
10.06	Rice: B. Semi-milled or wholly milled rice: I. Semi-milled rice: a) Round grained b) Long grained II. Wholly milled rice: a) Round grained b) Long grained	5.16 5.13 5.50 5.50	0 0 0 0	0 0 0 0	6.4 6.4 6.4 6.4

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed component (u.a./ton)			
11.01	Cereal flours:				
	A. Wheat or meslin flour...	18.75	2.55	40	10%
	B. Rye flour	18.75	7	0	10%
	C. Barley flour	5	5	0	10%
	D. Oat flour	5	5	0	1.065
	E. Maize flour:				
	I. Of a fat content not exceeding 1.5% by weight.....	5	5	0	10%
	II. Other	2.5	2.5	0	10%
	F. Rice flour	2.5	2.5	0	10%
	G. Buckwheat flour	5	0	0	10%
	H. Millet flour	2.5	0	0	10%
	IJ. Canary seed flour	2.5	0	0	10%
	K. Grain sorghum flour	2.5	0	0	10%
	L. Other	2.5	0	0	10%
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground:				
	A. Cereal groats and cereal meal:				
	I. Wheat:				
	a) Durum wheat	18.75	18.75	18.75	10%
	b) Common wheat	18.75	18.75	40	10%
	II. Rye	5	5	0	10%
	III. Barley	5	5	0	10%
	IV. Oats	5	5	5	10.65

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed component (u.a./ton)			
11.02	V. Maize:				
	a) Of a fat content not exceeding 1.5% by weight:				
	1. For the brewing industry	5	0	0	10%
	2. Other	5	0	0	10%
	b) Other	5	0	0	10%
	VI. Rice	2.5	0	0	10%
	VII. Buckwheat	5	0	0	10%
	VIII. Millet	2.5	0	0	10%
	IX. Grain sorghum	2.5	0	0	10%
	X. Other	2.5	0	0	10%
	B. Hulled grains (shelled or husked), whether or not sliced or kibbled:				
	1. Barley, oats, buckwheat and millet:				
	a) Hulled (shelled or husked):				
	1. Barley	2.5	2.5	0	10%
	2. Oats:				
	aa) Clipped oats	2.5	2.5	0	10%
	bb) Other	2.5	2.5	0	10%
	3. Buckwheat	2.5	0	0	10%
	4. Millet	2.5	0	0	10%
	b) Hulled and sliced or kibbled ('Grütze' or 'grutten'):				

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom	
		Fixed component (u.s./ton)				
11.02	1. Barley	2.5	0	0	10%	
	2. Oats	2.5	0	0	10%	
	3. Buckwheat	2.5	0	0	10%	
	4. Millet	2.5	0	0	10%	
	II . Other cereals:					
	a) Wheat	2.5	2.5	0	10%	
	b) Rye	2.5	2.5	0	10%	
	c) Maize	2.5	2.5	0	10%	
	d) Grain sorghum	2.5	0	0	10%	
	e) Other	2.5	0	0	10%	
	C. Pearled grains:					
	I. Wheat	2.5	2.5	0	10%	
	II. Rye	2.5	2.5	0	10%	
	III. Barley	5	5	0	20%	
	IV. Oats	2.5	2.5	0	10%	
	V. Maize	2.5	2.5	0	10%	
	VI. Buckwheat	2.5	0	0	10%	
	VII. Millet	2.5	0	0	10%	
	VIII. Grain sorghum	2.5	0	0	10%	
	IX. Other	2.5	0	0	10%	
	D. Grains not otherwise worked than kibbled:					
	I. Wheat	2.5	2.5	0	10%	
	II. Rye	2.5	2.5	0	10%	
	III. Barley	2.5	2.5	0	10%	
	IV. Oats	2.5	2.5	0	10%	
	V. Maize	2.5	2.5	0	10%	
	VI. Buckwheat	2.5	0	0	10%	
VII. Millet	2.5	0	0	10%		
VIII. Grain sorghum	2.5	0	0	10%		
IX. Other	2.5	0	0	10%		

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed component (u.a./ton)			
11.02 (cont.)	E. Rolled grains; flaked grains:				
	I. Barley, oats, buckwheat and millet:				
	a) Rolled:				
	1. Barley	2.5	2.5	0	10%
	2. Oats	2.5	2.5	2.5	10.65
	3. Buckwheat	2.5	0.5	0	10%
	4. Millet	2.5	0	0	10%
	b) Flaked:				
	1. Barley	5	5	0	20%
	2. Oats	5	5	5	10.65
	3. Buckwheat	5	0	0	10%
	4. Millet	5	0	0	10%
	II. Other cereals:				
	a) Wheat	5	5	0	10%
	b) Rye	5	5	0	10%
	c) Maize	5	5	0	10%
	d) Grain sorghum	5	0	0	10%
	e) Other:				
	1. Flaked rice ...	5	0	0	10%
	2. Other	5	0	0	10%
11.02	F. Pellets:				
	I. Wheat	5	5	0	10%
	II. Rye	5	5	0	10%
	III. Barley	5	5	0	10%
	IV. Oats	5	5	0	10%
	V. Maize	5	5	0	10%

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
11.02 (cont.)	VI. Rice	2.5	0	0	10%
	VII. Buckwheat	5	5	0	10%
	VIII. Millet	2.5	0	0	10%
	IX. Grain sorghum	2.5	0	0	10%
	X. Other	2.5	0	0	10%
	G. Germ of cereals, whole, rolled, flaked or ground:				
	I. Wheat	5	5	0	10%
	II. Other	5	5	0	10%
	11.06	Flours and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06:			
A. Denatured		2.5	2.5	0	Manioc } Sago } Other 10% } 0
B. Other					
I. For the manufacture of starches		17	17	7	Manioc } Sago } Other 10% } 0
II. Other		17	17	7	Manioc } Sago } Other 10% } 0
11.07		Malt, roasted or not:			
	A. Unroasted:				
	I. Obtained from wheat:				
	a) In the form of flour	9	9	9	10%
	b) Other	9	9	9	10%
	II. Other:				
	a) In the form of flour	9	9	9	10%
	b) Other	9	9	9	10%
B. Roasted	9	0	9	10%	

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed component (u.a./ton)			
11.08	Starches; inulin:				
	A. Starches:				
	I. Maize starch	17	17	0	7.5%
	II. Rice starch	25.5	25.5	0	1.60
	III. Wheat starch	17	17	17	10%
	IV. Potato starch	17	34	10	0
V. Other	17	17	0	(a) Millet and Buckwheat starches 1.60 (b) Sorghum starch 7.50% (c) Mago 5% (d) Manioc 0 (e) Other 10%	
11.09	Wheat gluten, whether or not dried:				
	A. Dried	150	18.75	15.00	10%
	B. Other	150	18.75	15.00	10%
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); Caramel:				
	B. Glucose and glucose syrup:				
	II. Other:				
	a) Glucose in the form of white crystalline powder, whether or not agglomerated	20 ⁽¹⁾	11 ⁽¹⁾	70.9 ⁽¹⁾	7.88 ⁽¹⁾
	b) Other	55 ⁽¹⁾	32 ⁽¹⁾	70.9 ⁽¹⁾	5.67 ⁽¹⁾

(1) Pursuant to Regulation No 189/66/EEC, the products falling within subheading 17.02 B I are subject to the same treatment as products falling within subheading 17.02 B II. However, the fixed component applicable to imports into Ireland of products falling within tariff subheading 17.02 B I a) is fixed at zero; for subsequent marketing years this component is to be adjusted, in respect of imports from third countries, in accordance with Article 59(2) of the Act.

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed components (u.a./ton)			
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion:				
	B. Glucose and glucose syrup:				
	I. Glucose in the form of white crystalline powder, whether or not agglomerated	80	11	70.9	.88
	II. Other	55	32	70.9	5 67
23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables:				
	A. Of cereals:				
	I. Of maize or rice:				
	a) With a starch content not exceeding 35% by weight	0	0	0	10%
	b) Other:				
	1. With a starch content exceeding 35% but not exceeding 45% by weight, and having undergone a denaturing process	0	0	0	10%
	2. Other	0	0	0	10%
II. Of other cereals:					
a) Of which the starch content does not exceed 28% by weight, and of which					

CCT Heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed components (u.a./ton)			
23.02 (cont.)	the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10% by weight or of which the sieved product has an ash content, calculated on the dry ash product, of 1.5% or more by weight	0	0	0	10%
	b) Other	0	0	0	10%
23.03	Beet-pulp, bagasse and other waste of sugar manufacture; brewing and distilling dregs and waste; residues of starch manufacture and similar residues: A. Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product: I. Exceeding 40% by weight.,	150	18.75	0	10%
23.07	Sweetened forage; other preparations of a kind used in animal feeding: B. Other, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 17.05 B, or milk products: I. Containing starch or glucose or glucose syrup: a) Containing no starch or containing 10% or less by weight of starch:				

ANNEX II

CORRELATION TABLE

Regulation (EEC) No 224/73

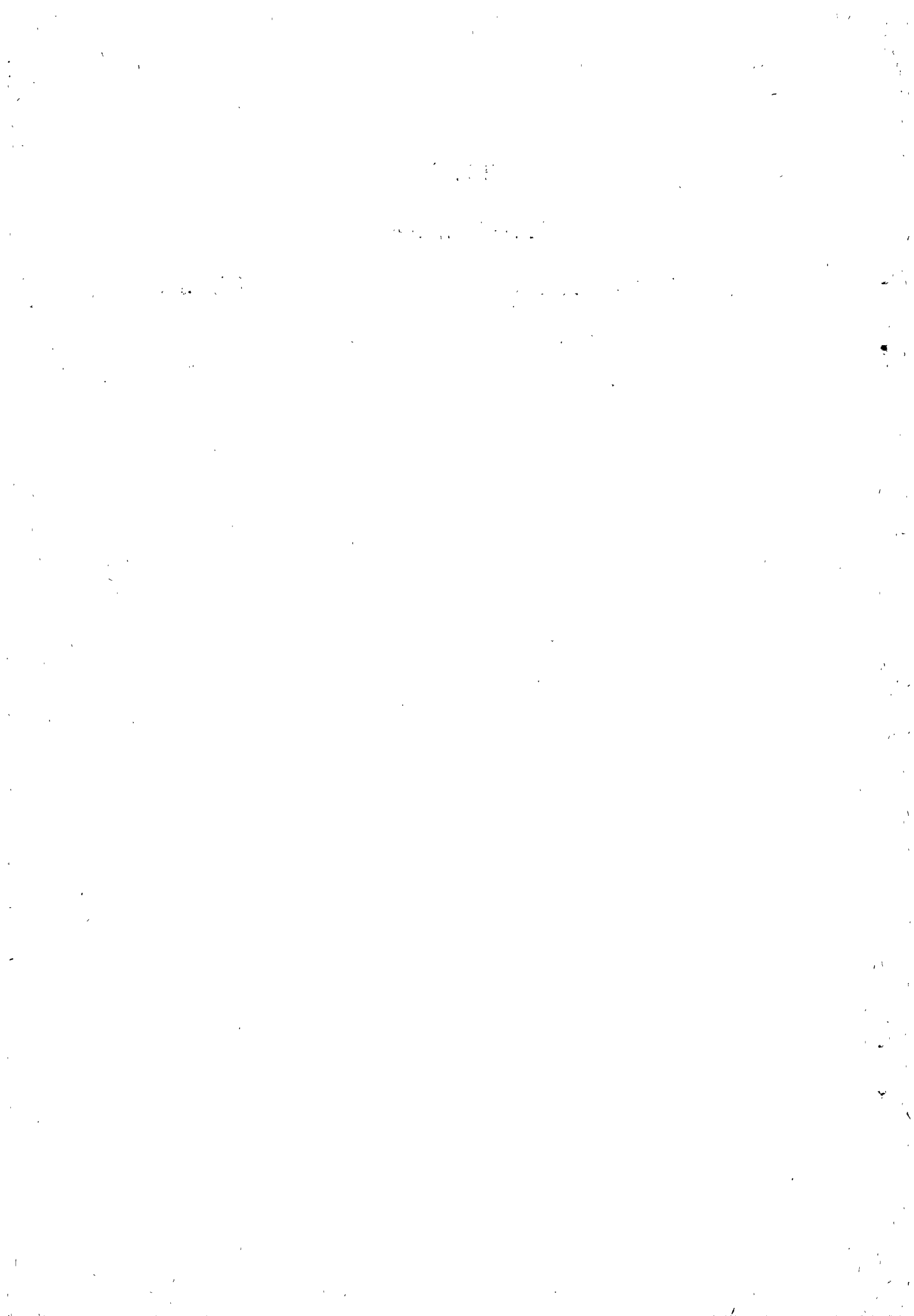
This Regulation

Article 1(3)

Article 1(2)

Annex

Annex I



R. n° 120/67/CEE du 13 juin 1967

J.O. n° 117

modifications : R. (CEE) n° 640/68 du 29. 4.1968

J.O. n°L 122

R. (CEE) n° 830/68 du 28. 6.1960

J.O. n°L 151

R. (CEE) n° 969/68 du 15. 6.1960

J.O. n°L 166

R. (CEE) n° 289/69 du 17. 2.1969

J.O. n°L 41

R. (CEE) n° 831/69 du 2. 4.1969

J.O. n°L 107

R. (CEE) n° 1396/69 du 17. 7.1969

J.O. n°L 179

R. (CEE) n° 1253/70 du 29. 6.1970

J.O. n°L 143

R. (CEE) n° 2434/70 du 30.11.1970

J.O. n°L 262

R. (CEE) n° 1520/71 du 12. 7.1971

J.O. n°L 162

R. (CEE) n° 1550/71 du 19. 7.1971

J.O. n°L 164

R. (CEE) n° 2727/71 du 20.12.1971

J.O. n°L 282

R. (CEE) n° 769/72 du 17. 4.1972

J.O. n°L 94

R. (CEE) n° 2492/72 du 21.11.1972

J.O. n°L 264

Acte relatif aux conditions d'adhésion et aux adaptations des traités

J.O. n°L 70
du 7.3.1972, p.14

R. (CEE) n° 1125/74 du 29. 4.1974

J.O. n°L 128

R. (CEE) n° 1996/74 du 29. 7.1974

J.O. n°L 209

R. (CEE) n° 85/75 du 13. 1.1975

J.O. n°L 11

R. (CEE) n° 665/75 du 4. 3.1975

J.O. n°L 72

R. n° 56 du 30. juin 1962

J.O. n° 54

R. n° 156/66/CEE du 25.10.1966

J.O. n° 192

R. n° 189/66/CEE du 24.11.1966

J.O. n° 218

R. (CEE) n° 768/69 du 22. 4.1969

J.O. n°L 100

R. (CEE) n° 666/75 du 4. 3.1975

J.O. n°L 72

R. (CEE) n° 131/67 du 13. 6.1967

J.O. n° 120

modifications : R. (CEE) n° 538/68 du 29. 4.1968

J.O. n°L 10

R. (CEE) n° 1205/69 du 26. 6.1969

J.O. n°L 15

Acte relatif aux conditions d'adhésion et aux adaptations des traités

J.O. n°L 73
du 27.5.1972, p.14

./.

R. (CEE) n° 1397/69 du 17. 7.1969	J.O. n° L 179
<u>modification</u> : R.(CEE) n° 1172/75 du 28. 4.1975	J.O. n° L 117
R. (CEE) n° 1171/75 du 28. 4.1975	J.O. n° L 117
R. (CEE) n° 982/75 du 14. 4.1975	J.O. n° L 95
R. (CEE) n° 2104/73 du 1. 8.1973	J.O. n° L 214
R. n° 132/67/CEE du 13. 6.1967	J.O. n° 120
<u>modification</u> : R. (CEE) n° 1938/70 du 29. 9.1970	J.O. n° L 215
R. n° 172/67/CEE du 27. 6.1967	J.O. n° 140
<u>modifications</u> : R. (CEE) n° 644/68 du 29. 4.1968	J.O. n° L 122
R. (CEE) n° 2096/68 du 20.12.1968	J.O. n° L 308
R. n° 174/67/CEE du 27. 6.1967	J.O. n° L 130
<u>modification</u> : R. (CEE) n° 445/68 du 9. 4.1968	J.O. n° L 91
R. n° 135/67/CEE du 13. 6.1967	J.O. n° 122
R. (CEE) n° 968/68 du 15. 7.1968	J.O. n° L 166
<u>modification</u> : R. (CEE) n° 2196/69 du 28.10.1969	J.O. n° L 279
R. (CEE) n° 1052/68 du 23. 7.1968	J.O. n° L 179
<u>modifications</u> : R. (CEE) n° 302/69 du 18. 2.1969	J.O. n° L 43
R. (CEE) n° 154/71 du 26. 1.1971	J.O. n° L 22
R. (CEE) n° 1529/71 du 12. 7.1971	J.O. n° L 162
R. (CEE) n° 2728/71 du 20.12.1971	J.O. n° L 282
R. (CEE) n° 881/73 du 26. 3.1973	J.O. n° L 86
R. (CEE) n° 980/75 du 14. 4.1975	J.O. n° L 95
R. n° 140/67/CEE du 21. 6.1967	J.O. n° L 125
<u>modification</u> : R. (CEE) n° 2435/70 du 30.11.1970	J.O. n° L 26
R. n° 139/67/CEE du 21. 6.1969	J.O. n° L 125
<u>modifications</u> : R. (CEE) n° 1997/74 du 29. 7.1974	J.O. n° L 208
R. (CEE) n° 87/75 du 13. 1.1975	J.O. n° L 11
R. (CEE) n° 1968/73 du 19.7.1973	J.O. n° L 201
<u>modifications</u> : R. (CEE) n° 2632/73 du 28. 9.1970	J.O. n° L 272
R. (CEE) n° 86/75 du 13. 1.1975	J.O. n° L 11

R. (CEE) n° 2591/69	du 18.12.1969	J.O. n° L 324
R. (CEE) n° 1359/73	du 15. 5.1973	J.O. n° L 141
R. (CEE) n° 1693/72	du 3.10.1972	J.O. n° L 178
R. (CEE) n° 3581/73	du 28.12.1973	J.O. n° L 319
R. (CEE) n° 3233/74	du 17.12.1974	J.O. n° L 34
R. (CEE) n° 1464/69	du 23. 7.1969	J.O. n° L 197
R. (CEE) n° 1234/71	du 7. 6.1971	J.O. n° L 130
R. (CEE) n° 3375/73	du 10.12.1973	J.O. n° L 345
R. (CEE) n° 1173/75	du 28. 4.1975	J.O. n° L 117
R. (CEE) n° 229/73	du 31. 1.1973	J.O. n° L 27
<u>modification</u> :	R. (CEE) n° 1860/74 du 15.7.1974	J.O. n° L 19
R. (CEE) n° 224/73	du 31. 1.1975	J.O. n° L 27
<u>modification</u> :	R. (CEE) n° 1070/74 du 29. 4.1974	J.O. n° L 120

