

COMMISSION OF THE EUROPEAN COMMUNITIES

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PROPOSAL FOR A
REGULATION OF THE COUNCIL
establishing the list of representative
markets for pigmeat in the Community

PROPOSAL FOR A
REGULATION (EEC) OF THE COUNCIL
laying down conditions for applying
protective measures in the market in pigmeat

PROPOSAL FOR A
REGULATION OF THE COUNCIL
laying down general rules for granting
export refunds on pigmeat and criteria for
fixing the amount of such refunds

PROPOSAL FOR A
REGULATION OF THE COUNCIL
laying down general rules for the system of
"pilot products and derived products" allowing
additional amounts to be fixed for pigmeat

PROPOSAL FOR A
REGULATION OF THE COUNCIL
establishing the list of products for which sluice-gate
prices are fixed and adopting the rules for
fixing the sluice-gate price for pig carcasses

PROPOSAL FOR A
REGULATION OF THE COUNCIL
on the common organization of the market in pigmeat

(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUMCodification of the Regulations governing the organisation
of the market in pigmeat

1. In its Memorandum on the Adjustment of the Common Agricultural Policy the Commission informed the Council that, in its view, "the publication of codified texts of the applicable acts relating to the common agricultural policy could well help to improve considerably accessibility of Community legislation in this field and thus facilitate its implementation by the official departments and the producers and dealers" (Doc. No COM(73)1850 of 31 October 1973, sec. 28).
2. The European Parliament has since approved the measures to be taken in this connection (Resolution of 14 February 1974 - Council Doc. No 332/74 (ASS 211) of 20 February 1974).
3. The common organisation of the various agricultural markets is embodied mainly in the "basic regulations" for each product sector. The oldest basic regulation still applicable dates from 1966. These regulations, and the main implementing texts adopted by the Council, have more than once had to be amended. The amendments took the form of amending regulations which were published in the Official Journal of the Communities on dates determined by the day of their adoption. They are, therefore, scattered throughout the entire File of Official Journals.
4. All the texts relating to a specific sector also contain amendments which are no longer of any importance because they were subsequently amended or repealed, and temporary provisions which have in the meantime expired.
5. It is not surprising that, given the situation described under 3 and 4, the farming community has great difficulty in understanding Community rules. On several occasions members of COA and national organisations have asked that this tangle of provisions, some of which are no longer applicable, should be straightened out, and that the provisions still in force be consolidated in a single text or rearranged.

6. The following proposal is intended to meet these requests. Initially, the measures concerned will only be the Council Regulations concerning pigmeat. Similar proposals will be put forward for the other major sectors as and when the necessary texts can be drawn up.

7. It is proposed that the texts in question be codified. The method adopted consists essentially in gathering the amended Council regulations together in a coordinated set of texts, making the necessary amendments to their form but no amendments to their substance. It is essential that this point be well established, and that the scope of the Commission's proposal be clearly understood. Although it was sometimes tempting to take the opportunity to amend or even supplement or delete existing provisions, the Commission abstained from doing so, in the belief that it was absolutely essential to avoid any discussion of a political or economic nature on the merits of the present detailed rules on the organisation of the market when this text was being examined. It is with these points in mind, and within these limitations, that the present proposal is put before the Council.

8. This method of codification is based on the one chosen by the Council in 1972 for the fruit and vegetable sector which resulted in the adoption of Regulation (EEC) No 1035/72 ⁽¹⁾. It will involve consulting the European Parliament on the basic Regulation. It does not prevent a more rapid method from being sought in accordance with the guidelines in the proposal which the Commission has forwarded to the Council for that purpose.

(1) OJ No L 118, 20 May 1972, p. 1

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PROPOSAL FOR A
REGULATION OF THE COUNCIL

establishing the list of representative markets for pigmeat
in the Community

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation⁽¹⁾ on the common organization of the market in pigmeat, and in particular Article 4(5) thereof;

Having regard to the proposal from the Commission;

Whereas under the provisions of Article 4(2) of Regulation intervention measures may be taken if on the representative markets of the Community the price for pig carcasses is, and is likely to remain, below 103% of the basic price;

Whereas to enable those provisions to be applied a list of representative markets must be established.

HAS ADOPTED THIS REGULATION :

Article 1

The representative markets referred to in Article 4(2) of Regulation No shall be the nine markets listed in the Annex hereto.

Article 2

1. Council Regulation No 223/67/EEC⁽²⁾ of 27 June 1967 establishing the list of representative markets for pigmeat in the Community, as last amended by Regulation (EEC) No 2708/72⁽³⁾, is hereby repealed.
2. All references to the Regulation repealed by paragraph 1 shall be treated as references to this Regulation.

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(1)

(2) OJ No 135, 30 June 1967, p.2887/67

(3) OJ No L 291, 28 December 1972, p. 6

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

Done at Brussels,

For the Council
The President

ANNEX

1. The following group of markets: Gonk, Lokeren, Charleroi, Brugge,
Herve, Anderlecht
2. The following group of markets: Kiel, Bremen, Hannover, Oldenbrug,
Krefeld, Münster, Bielefeld, Düsseldorf,
Mainz, Frankfurt/Main, Stuttgart,
Nürnberg, München.
3. The following group of markets: Rennes, Angers, Caen, Lille, Paris, Lyon
Metz, Toulouse.
4. The following group of markets: Milano, Cremona,, Mantova, Modena, Parma,
Roggio Emilia, Macerata/Perugia
5. The following group of markets: Luxembourg, Esch
6. The following group of markets: Arnhem, Boxtel, Oss, Cuyck/Maas
7. Guildford market
8. Copenhagen market
9. The following group of markets: Cavan, Rooskey, Limerick, Roscrea, Cork.

Whereas both the criteria for assessing the situation on the market and the measures required to deal with that situation must be determined in the light of the fact that the provisions governing trade with third countries do not at present include a system of import licences;

Whereas recourse by a Member State to Article 18 of Regulation No should be limited to cases in which the market of that State, following an assessment based on the above-mentioned factors, fails to be regarded as fulfilling the conditions of that Article; whereas the measures which may be taken in such case should be designed to prevent the market situation from deteriorating further; whereas however, they must be of an interim nature and should accordingly apply only until the entry into force of a Community decision on the subject;

Whereas the Commission is required to take a decision on Community protective measures to be applied in response to a request from a Member State within twenty-four hours following receipt of the request; whereas, in order that the Commission may assess the situation on the market with all proper accuracy, provision should be made to ensure that it is informed as quickly as possible of any interim protective measures applied by a Member State; whereas provision should therefore be made for the Commission to be notified of any such measures as soon as they have been adopted and for such notification to be treated as a request within the meaning of Article 18(2) of Regulation No ;

Article 1

In order to assess whether the Community market in one or more of the products specified in Article 1(1) of Regulation No is by reason of imports or exports experiencing or threatened with serious disturbances which may endanger the objectives set out in Article 39 of the Treaty, particular account shall be taken :

- (a) of the volume of imports or exports effected or foreseen;
- (b) of the quantities of products available on the Community market;
- (c) of the prices recorded on the Community market or the foreseeable trend of these prices and in particular any excessive upward or downward trend thereof;

- (d) if the above-mentioned situation has arisen by reason of imports, of the quantities of products for which intervention measures have been taken or may need to be.

Article 2

1. The measures which may be taken under Article 18(2) and (3) of Regulation No should the situation mentioned in Article 18(1) arise shall be the suspension of imports or exports or the levying of charges on exports.
2. Such measures may be taken only to such extent and for such length of time as is strictly necessary. They shall take account of the special situation of products already on their way to the Community. They shall apply only to products coming from or intended for third countries. They may be restricted to products imported from or originating in particular countries, to exports to particular countries or to particular qualities or types of presentation. They may be restricted to imports intended for particular regions of the Community or to exports from such regions.

Article 3

1. A Member State may take one or more interim protective measures if, after an assessment based on the factors set out in Article 1, it considers that the situation envisaged in Article 18(1) of Regulation No has arisen on its territory.

Interim measures may comprise:

- (a) the suspension of imports or exports;
- (b) the requirement that sums be deposited or secured in respect of export charges.

No actual payment of an export charge may be required under a measure as provided in (b) unless it is so decided in accordance with Article 18(2) or (3) of Regulation No

The provisions of Article 2(2) of this Regulation shall apply.

2. The Commission shall be notified by telex of the interim protective measures as soon as they have been decided on. Such notification shall be treated as a request within the meaning of Article 18(2) of Regulation No

The measures shall apply only until such time as a decision taken by the Commission on the matter enters into force.

Article 4

The charges provided for in Article 2(1) shall be regarded as levies in relation to third countries within the meaning of Article 11(4) of Council Regulation No (1) on the financing of the common agricultural policy.

Article 5

1. Council Regulation (EEC) No 2593/69⁽²⁾ of 18 December 1969 laying down conditions for applying protective measures in the market in pigmeat is hereby repealed.
2. All references to the Regulation repealed by paragraph 1 shall be treated 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

(1) OJ No 165, 21.9.1966, p.2965/66
(2) OJ No L 324, 27.12.1969, p.6

PROPOSAL FOR A
REGULATION OF THE COUNCIL

laying down general rules for granting
export refunds on pigmeat 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 No (1) on the common organisation
of the market in pigmeat, and in particular Article 15(4) thereof;

Having regard to the proposal from the Commission;

Whereas export refunds on products subject to the common organisation of the
market in pigmeat must be fixed in accordance with certain criteria such
that it is possible to cover the difference between prices for those
products within the Community and on the world market; whereas to this end
the supply situation and prices for those products within the Community and
the price situation on the world market must be taken into account;

Whereas the difference between prices within the Community and prices on the
world market for the quantity of feed grain required for the production
of one kilogramme of pigmeat must also be taken into account; whereas for
products other than pig carcasses the coefficients referred to in Article 10(4)
of Regulation No should be taken into account;

Whereas if price trends are to be noted prices must be determined in
accordance with general principles; whereas to this end prices on third
country markets and in countries of destination, producer prices recorded
in third countries and free-at-Community-frontier prices should be taken into
account when prices on the world market are being determined; whereas, in the
absence of representative markets for pigmeat products, prices ruling at the
various marketing stages and on exportation should be used as a basis in
determining Community prices;

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 destination;

(1) See p. of this OJ

Whereas, to give Community exporters a measure of stability as regards the amount of the refund and certainty with regard to the list of products eligible for a refund, provision should be made for such list and amounts to remain valid for a relatively long period; whereas rules should also be laid down governing the advance fixing of the export refunds;

Whereas it is necessary to fix refunds in advance only in certain cases; whereas any decision to do so should be taken in accordance with Article 24 of Regulation No

Whereas the possibility of fixing refunds in advance makes it necessary to take steps to ensure that in every case exportation is carried out as stated in the application; whereas to that end each applicant should receive a certificate requiring the goods in question to be exported within a given period;

Whereas in order to avoid abuse the issue of such certificates should be conditional upon the provision of security, which should be forfeit if the goods are not exported within the period of validity of the certificates;

Whereas experience gained in the various sectors where a common organization of the market has been established and in which there is provision for advance fixing of the refund has shown that in certain circumstances, and in particular where exporters have abnormal recourse to this system, there is a risk of difficulties arising on the market concerned;

Whereas in order to remedy such a situation it must be possible for measures to be taken rapidly ; whereas provision should therefore be made for the Commission to adopt such measures after receiving the Opinion of the Management Committee or, in cases of urgency, without waiting for the latter to meet;

Whereas, to avoid distortions of competition between individual Community traders, the administrative conditions under which they operate must be identical throughout the Community; whereas there does not appear to be any justification for granting a refund where the products in question are imported from third countries and re-exported to third countries; whereas the reimbursement, under certain conditions, of the levy charged on importation is sufficient to allow these products 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(1) of Regulation 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 pigmeat products on the Community market;
 - prices for pigmeat products on the world market;
- (b) the need to avoid disturbances which might lead to a prolonged imbalance between supply and demand on the Community market; and
- (c) the economic aspect of the proposed exports.

When the refund on the products specified in Article 1(1) of Regulation No is being calculated, account shall also be taken of the difference between prices within the Community and prices on the world market for the quantity of feed grain as determined in accordance with the provisions of Article 9(1)(a) of that Regulation, the coefficients referred to in Article 10(4) of that Regulation also being taken into account in the case of products other than pig carcasses.

Article 3

1. The following shall be taken into account when the price on the Community market is being determined:

- (a) prices ruling at the various marketing stages in the Community;
- (b) prices ruling on exportation.

2. The following shall be taken into account when the price on the world market is being determined:

Applications for certificates of advance fixing lodged during the period of suspension shall be rejected.

Article 6

1. The grant of the refund under the conditions laid down in Article 5(3) shall be conditional on the presentation of a certificate of advance fixing, which shall be issued by Member States to any applicant, irrespective of his place of establishment in the Community.

Such certificates shall be valid throughout the Community.

2. The issue of a certificate of advance fixing shall be conditional upon the provision of security guaranteeing that exportation will be carried out within the period of validity of the certificate. If the operation is not carried out, or only partially carried out, within that period the security shall be wholly or partially forfeit.

Article 7

1. The refund shall be paid upon proof:

- that the products concerned have been exported from the Community, and
- except where Article 3 applies, that such products are of Community origin.

2. Where Article 4 applies, the refund shall be paid under the conditions laid down in paragraph 1, 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, provided conditions are laid down which offer equivalent guarantees.

3. Additional provisions may be adopted in accordance with the procedure laid down in Article 24 of Regulation No .

Article 8

No export refund shall be granted on products as specified in Article 1(1) of Regulation 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 charged on importation.

In such cases the refund on each product shall be equal to whichever is the lower of the levy charged on importation and the refund applicable on the day of exportation.

Article 9

1. Council Regulation No 177/67/EEC⁽¹⁾ of 27 June 1967 laying down general rules for granting export refunds on pigmeat and criteria for fixing the amount of such refunds, as amended by Regulation (EEC) No 2686/72⁽²⁾, is hereby repealed.
2. All references to the Regulation repealed by paragraph 1 shall be treated 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

(1) OJ No 130, 28 June 1967, p. 2614/67

(2) OJ No L 289, 27 December 1972, p.37

PROPOSAL FOR A
REGULATION OF THE COUNCIL

laying down general rules for the system of "pilot
products" and "derived products" enabling additional
amounts to be fixed for pigmeat

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No (1) of

on the common organization of the market in pigmeat, and in particular
Article 13(4) thereof;

Having regard to the proposal from the Commission;

Whereas Article 12 of Regulation No provides that sluice-gate
prices are to be fixed only for certain pigmeat products; whereas those products
are listed in Article 1 of Council Regulation No (2) establishing the
list of products for which sluice-gate prices are to be fixed and adopting the
rules for fixing the sluice-gate price for pig carcasses;

Whereas Article 13 of Regulation No provides for the establishment
of a system of "pilot products" and "derived products" enabling additional amounts
to be fixed for "derived products", namely those for which sluice-gate prices are
not fixed;

Whereas derived products consist of pigmeat or contain cuts of pigmeat in varying
proportions; whereas their prices therefore normally stand in a certain relationship
to the price of pigmeat or to cuts of pigmeat; whereas this relationship is reflected
in the ratio existing between the levies applicable to them;

Whereas, consequently, the additional amount for a derived product can be obtained
by applying to the additional amount for the relevant pilot product with a coefficient
expressing the abovementioned ratio; whereas it is necessary to apply this derived
additional amount when free-at-frontier offer prices for the derived product
follow the same trend as those for the relevant pilot product;

(1) See p. of this OJ

(2) See p. of this OJ

Whereas because of their composition it is necessary in the case of certain derived products to specify more than one pilot product; whereas, in order to prevent the protection afforded by the additional amount for the pilot product from being ineffective, when additional amounts are being fixed for more than one pilot product, the highest derived additional amount should be applied; whereas, however, in the case of derived products containing a substantial proportion of fat the additional amount derived by reference to the fat should be added to that derived by reference to some other pilot product, the coefficients being so fixed as to take account of the fact that the derived product is composed both of fat and of other meat;

Whereas the system of pilot products and derived products should not exclude the possibility of fixing an additional amount for a derived product when the price level for the relevant pilot product does not warrant the fixing of such an amount for the latter; whereas the derived product may well be offered at a price lower than that resulting from the normal price relationship between pilot product and derived product;

Whereas in the case of certain products no additional amount should be fixed, either because of their small economic importance or because the customs duty thereon has been bound within GATT;

HAS ADOPTED THIS REGULATION :

Article 1

The pilot products and the derived products relating to each of those products shall be as shown in Annex I. The products shown in Annex I are taken from the list set out in Annex II.

Article 2

1. Where an additional amount is fixed for a pilot product and free-at-Community frontier offer prices for the derived product follow the same trend as those for the pilot product, an amount shall be added to the levy on the derived product.
2. Such additional amount shall be determined:
 - (a) either by multiplying the additional amount for the pilot product by the coefficient applicable to the derived product as calculated in accordance with the provisions of Article 3;

(b) by reference to the difference between free-at-frontier offer prices for the derived product and the normal import price for that product.

3. If more than one pilot product - none of which is pig fat - is specified in respect of a derived product, the additional amount for the derived product shall be equal to the highest of the amounts obtained by multiplying the additional amount for each of the pilot products in question by the relevant coefficient.

Where for a derived product pig fat is one of the pilot products, the additional amount for the derived product shall be equal to the sum of:

- the amount obtained by multiplying the additional amount for pig fat by the relevant coefficient;
- the highest of the amounts obtained by multiplying the additional amount for each of the pilot products other than pig fat by the relevant coefficient.

4. Where an additional amount has not been fixed for the relevant pilot product, an additional amount may be fixed for a derived product if free-at-frontier offer prices for this product do not correspond to the normal relationship between the price for the pilot product and that of the derived product.

In that case the additional amount shall be the amount required to restore the normal relationship between the price of the pilot product and that of the derived product.

Article 3

1. The coefficient for those of the products specified in Article 1(1)(b) of Regulation No which are derived products shall be obtained by dividing the coefficient used for calculating the levy for the derived product in question by the coefficient used for the relevant pilot product.

2. The coefficient for the products specified in Article 1(1)(c) of Regulation No shall be calculated by reference to the ratio between the levy for the relevant pilot product and, as necessary, the composition of the derived product.

Article 4

1. Council Regulation No 137/67/EEC (3) of 13 June 1967 laying down general rules for the system of "pilot products and derived products" allowing additional amounts to be fixed for pigmeat, as last amended by Regulation (EEC) No 3158/73 (4), is hereby repealed.
2. All references to the Regulation repealed by paragraph 1 shall be treated 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

(3) OJ No 122, 22 June 1967, p. 2395/67.

(4) OJ No L 322, 23 November 1973, p. 1

ANNEX I

List of pilot products and derived products in respect of the products specified in Article 1(1) of Regulation No

	Nomenclature No as shown in Annex I to this Regulation	Description of product
Pilot product	02.01 A III (a) 1	Meat of domestic swine in carcasses or half-carcasses, with or without heads, feet or flare fat
Derived products	02.01 A III (a)	Meat of domestic swine, fresh, chilled or frozen:
	02.06 B I (a)	6. Other bb) Other Meat of domestic swine, salted or in brine:
	02.06 B I (b)	7. Other Meat of domestic swine, dried or smoked: 1. Carcasses or half-carcasses, with or without heads, feet or flare fat 7. Other: (aa) Slightly dried or slightly smoked (bb) Other
Pilot product	02.01 A III (a) 2	Hams and cuts of ham, unboned (bone-in)
Derived products	02.01 A III (a)	Meat of domestic swine, fresh, chilled or frozen:
	02.06 B I (a)	6. Other bb) Other Meat of domestic swine, salted or in brine:
	02.06 B I (b)	7. Other Meat of domestic swine, dried or smoked: 3. Hams and cuts of ham, unboned (bone-in): (aa) Slightly dried or slightly smoked (bb) Other

	Nomenclature No as shown in Annex II to this Regu- lation	Description of product
	16.01 B I 16.02 B III	7. Other: (aa) Slightly dried or slightly smoked (bb) Other Sausages and the like, of meat, meat offal or animal blood: Other: Sausages, dry or for spreading, uncooked Other prepared or preserved meat or meat offal: Other: Other: (a) Containing meat or offals of domestic swine and containing by weight: 1. 80% or more of meat or offal, of any kind, including fats of any kind or origin: (ac) Hams, fillets and loins; pieces thereof (cc) Other
Pilot product	02.01 A III (a) 3	Shoulders and cuts of shoulders, unboned (bone-in)
Derived products	02.01 A III (a) 02.06 B I (a)	Meat of domestic swine, fresh, chilled or frozen: 6. Other bb) Other Meat of domestic swine, salted or in brine: 7. Other

Nomenclature No as shown in Annex II to this Regulation	Description of product
02.06 B I (b)	Meat of domestic swine, dried or smoked: 4. Shoulders (foros) and cuts of shoulders, unboned (bone-in): (aa) Slightly dried or slightly smoked (bb) Other 7. Other: (aa) Slightly dried or slightly smoked (bb) Other
16.01	Sausages and the like, of meat, meat offal or animal blood:
B	Other:
I	Sausages, dry or for spreading, uncooked.
II	Other
16.02	Other prepared or preserved meat or meat offal:
B	Other:
III	Other: (a) Containing meat or offals of domestic swine and containing by weight: 1. 80% or more of meat or offal, of any kind, including fats of any kind or origin: (bb) Shoulders and pieces thereof (cc) Other

	Nomenclature No as shown in Annex II to this Regu- lation	Description of product
	16.02 B III	2. 40% or more but less than 80% of meat or offal, of any kind, including fats of any kind or origin 3. Less than 40% of meat or offal, of any kind, including fats of any kind or origin
Pilot product	02.01 A III (a) 4	Loins and cuts of loins, unboned (bone-in)
Derived products	02.01 A III (a) 02.06 B I (a) 02.06 B I (b) 16.02 B III	Meat of domestic swine, fresh, chilled or frozen: 6. Other bb) Other Meat of domestic swine, salted or in brine: 7 Other Meat of domestic swine, dried or smoked: 5. Loins and cuts of loin, unboned (bone-in): (aa) Slightly dried or slightly smoked (bb) Other 7. Other: (aa) Slightly dried or slightly smoked (bb) Other Other prepared or preserved meat or meat offal: Other: Other: (a) Containing meat or offals of domestic swine and containing by weight:

	Nomenclature No as shown in Annex II to this Regulation	Description of product
		<p>1. 80% or more of meat or offal of any kind, including fats of any kind or origin:</p> <p>(aa) Hams, fillets and loins; pieces thereof</p>
Pilot product	02.01 A III (a) 5	Bellies and cuts of bellies
Derived products	<p>02.01 A III (a)</p> <p>02.06 B I (a)</p> <p>02.06 B I (b)</p> <p>02.06 B I (b)</p> <p>16.02</p> <p>B</p> <p>III</p>	<p>Meat of domestic swine, fresh, chilled or frozen:</p> <p>6. Other</p> <p>bb) Other</p> <p>Meat of domestic swine, salted or in brine:</p> <p>7. Other</p> <p>Meat of domestic swine, dried or smoked:</p> <p>6. Bellies (streaky) and cuts of bellies</p> <p>(aa) Slightly dried or slightly smoked</p> <p>(bb) Other</p> <p>7. Other:</p> <p>(aa) Slightly dried or slightly smoked</p> <p>(bb) Other</p> <p>Other prepared or preserved meat or meat offal:</p> <p>Other:</p> <p>Other:</p> <p>(a) Containing meat or offals of domestic swine and containing by weight:</p>

	Nomenclature No. as shown in Annex II to this Regulation	Description of product
		<p>2. 40% or more but less than 80% of meat or offal, of any kind, including fats of any kind or origin</p> <p>3. Less than 40% of meat or offal, of any kind, including fats of any kind or origin</p>
Pilot product	02.05 A I	Back-fat, fresh, chilled, frozen, salted or in brine
Derived products	02.05 A II 02.05 B 16.01 B I II 16.02 B III	Back-fat, dried or smoked Pig fat Sausages and the like, of meat, meat offal or animal blood: Other: Sausages, dry or for spreading, uncooked Other: Other prepared or preserved meat or meat offal: Other: Other: (a) Containing meat or offals of domestic swine and containing by weight: 1. 80% or more of meat or offal, of any kind, including fats of any kind or origin: (cc) Other 2. 40% or more but less than 80% of meat or offal, of any kind, including fats of any kind or origin 3. Less than 40% of meat or offal, of any kind, including fats of any kind or origin.

	Nomenclature No as shown in Annex II to this Regulation	Description of product
Pilot product	02.06 B I (a) 2 (aa)	Bacon sides
Derived products	02.06 B I (a)	Meat of domestic swine, salted or in brine: <ol style="list-style-type: none"> 2. (bb) Spencers (cc) $\frac{3}{4}$ sides and middles 7. Other
	02.06 B I (b)	Meat of domestic swine, dried or smoked: <ol style="list-style-type: none"> 2. Bacon sides, spencers, $\frac{3}{4}$ sides and middles: <ol style="list-style-type: none"> (aa) Bacon sides (bb) Spencers (cc) $\frac{3}{4}$ sides and middles 3. Hams and cuts of ham, unboned (bone-in): <ol style="list-style-type: none"> (aa) Slightly dried or slightly smoked 4. Shoulders (fores) and cuts of shoulders, unboned (bone-in): <ol style="list-style-type: none"> (aa) Slightly dried or slightly smoked 5. Loins and cuts of loins, unboned (bone-in): <ol style="list-style-type: none"> (aa) Slightly dried or slightly smoked 6. Bellies (streaky) and cuts of bellies: <ol style="list-style-type: none"> (aa) Slightly dried or slightly smoked 7. Other: <ol style="list-style-type: none"> (aa) Slightly dried or slightly smoked

ANNEX II

Complete list of products specified in Article 1(1) of Regulation No

CCT heading No	Description of product
(a) 01.03	<p>Live swine:</p> <p>A. Domestic species:</p> <p>II. Other:</p> <p>(a) Sows having farrowed at least once, of a weight of not less than 160 kg</p> <p>(b) Other</p>
(b) 02.01	<p>Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen:</p> <p>A. Meat:</p> <p>III. Of swine:</p> <p>(a) Of domestic species:</p> <ol style="list-style-type: none"> 1. Carcasses or half-carcasses, with or without heads, feet or flare fat 2. Hams and cuts of ham, unboned (bone-in) 3. Shoulders and cuts of shoulders, unboned (bone-in) 4. Loins and cuts of loins, unboned (bone-in) 5. Bellies and cuts of bellies 6. Other <ol style="list-style-type: none"> (aa) Boned or boncless and frozen (bb) Other <p>B. Offals:</p> <p>II Other:</p> <p>(c) Of domestic swine:</p> <ol style="list-style-type: none"> 1. Heads and cuts of heads; necks 2. Feet and tails 3. Kidneys 4. Livers 5. Hearts, tongues and lungs

SOT Heading No	Description of product
	<p>6. Livers, hearts, tongues and lungs attached to the trachea and gullet</p> <p>7. Other</p>
02.05	<p>Pig fat free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked:</p> <p>A. Back-fat:</p> <p style="padding-left: 40px;">I. Fresh, chilled, frozen, salted or in brine</p> <p style="padding-left: 40px;">II. Dried or smoked</p> <p>B. Pig fat, other than that falling within subheading A</p>
02.06	<p>Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked:</p> <p>B. Meat and edible meat offals of domestic swine:</p> <p style="padding-left: 40px;">I. Meat:</p> <p style="padding-left: 80px;">(a) Salted or in brine:</p> <ol style="list-style-type: none"> 1. Carcasses or half-carcasses, with or without heads, feet or flare fat 2. Bacon sides, spencers, $\frac{3}{4}$ sides and middles: <ol style="list-style-type: none"> (aa) Bacon sides (bb) Spencers (cc) $\frac{3}{4}$ sides and middles 3. Hams and cuts of ham; unboned (bone-in) 4. Shoulders (fores) and cuts of shoulders, unboned (bone-in) 5. Loins and cuts of loins, unboned (bone-in) 6. Bellies (streaky) and cuts of bellies 7. Other

CCT heading No	Description of product
	<p>(b) Dried or smoked:</p> <ol style="list-style-type: none"> 1. Carcasses or half-carcasses, with or without heads, feet or flare fat 2. Bacon sides, spencers, $\frac{3}{4}$ sides and middles: <ol style="list-style-type: none"> (aa) Bacon sides (bb) Spencers (cc) $\frac{3}{4}$ sides and middles 3. Hams and cuts of ham, unboned (bone-in): <ol style="list-style-type: none"> (aa) Slightly dried or slightly smoked (bb) Other 4. Shoulders (fords) and cuts of shoulders, unboned (bone-in) <ol style="list-style-type: none"> (aa) Slightly dried or slightly smoked (bb) Other 5. Loins and cuts of loins, unboned (bone-in) <ol style="list-style-type: none"> (aa) Slightly dried or slightly smoked (bb) Other 6. Bellies (streaky) and cuts of bellies: <ol style="list-style-type: none"> (aa) Slightly dried or slightly smoked (bb) Other 7. Other: <ol style="list-style-type: none"> (aa) Slightly dried or slightly smoked (bb) Other <p>B. II. Edible meat offals:</p> <ol style="list-style-type: none"> (a) Heads and cuts of heads; necks (b) Feet and tails (c) Kidneys (d) Livers (e) Hearts, tongues and lungs (f) Livers, hearts, tongues and lungs attached to the trachea and gullet (g) Other

CCT heading No	Description of product
15.01	<p>Lard, other pig fat and poultry fat, rendered or solvent-extracted:</p> <p>A. Lard and other pig fat:</p> <p style="padding-left: 40px;">I. For industrial uses other than the manufacture of foodstuffs for human consumption (a)</p> <p style="padding-left: 40px;">II. Other</p>
(c) 16.01	<p>Sausages and the like, of meat, meat offal or animal blood:</p> <p>A. Liver sausages</p> <p>B. Other (b):</p> <p style="padding-left: 40px;">I. Sausages, dry or for spreading, uncooked</p> <p style="padding-left: 40px;">II. Other</p>
16.02	<p>Other prepared or preserved meat or meat offal:</p> <p>A. Liver:</p> <p style="padding-left: 40px;">II. Other</p> <p>B. Other:</p> <p style="padding-left: 40px;">III. Other:</p> <p style="padding-left: 80px;">(a) Containing meat or offals of domestic swine and containing by weight:</p> <ol style="list-style-type: none"> 1. 80% or more of meat or offal, of any kind, including fats of any kind or origin: <ol style="list-style-type: none"> (aa) Hams, fillets and loins; pieces thereof (bb) Shoulders and pieces thereof (cc) Other 2. 40% or more but less than 80% of meat or offal, of any kind, including fats of any kind or origin 3. Less than 40% of meat or offal, of any kind, including fats of any kind or origin

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

- (b) The levy applicable to sausages imported in containers which also contain preservative liquid is charged on the net weight, i.e. after deduction of the weight of the liquid.

Proposal for a
REGULATION OF THE COUNCIL

establishing the list of products for which
 sluice-gate prices are to be fixed and laying
 down the rules for fixing the sluice-gate price
 for pig carcasses

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No (1) on the common organisation
 of the market in pigmeat, and in particular Article 12(4) thereof ;

Having regard to the proposal from the Commission ;

Whereas Article 12 of Regulation No provides that sluice-gate prices
 are to be fixed only for certain of the products other than pig carcasses
 in Article 1 of that Regulation and that for these the sluice-gate prices
 shall be derived from the sluice-gate price for pig carcasses ;

Whereas the system of sluice-gate prices can achieve its purpose only if an
 offer price can be fixed which is sufficiently representative of all products
 falling within a single Tariff heading; whereas such an offer price cannot
 always be fixed for certain products which are manufactured from various cuts
 and by various methods and are consequently offered on the market in a wide
 range of qualities; whereas sluice-gate prices should accordingly not at
 present be fixed for those products ;

Whereas under the said Article 12 the sluice-gate price for pig carcasses is
 to be made up of three components :

- (i) an amount equal to the value on the world market of the quantity of
 feed grain equivalent to the quantity of feeding-stuffs required for
 the production in third countries of one kilogramme of pigmeat;
- (ii) a standard amount representing the extra cost in relation to feed grain
 of feeding-stuffs other than grain required for the production of one
 kilogramme of pigmeat ;

(1) See p. of this OJ

(iii) a standard amount representing overhead costs of production and marketing ;

Whereas this quantity of feed grain should be calculated on the basis of a processing coefficient of 1 : 5.46; whereas this coefficient is obtained by multiplying the total quantity of feeding-stuffs required for the production and fattening of a young pig (such quantity containing on average approximately 15% of feeding-stuffs other than grain) by a coefficient of 1.3 expressing the ratio of the value of one kilogramme of live swine to that of one kilogramme of pig carcasses ;

Whereas it is appropriate to take as representative of the relevant quantity of feed grain on the world market a mixture of cereals with the following composition :

Barley	40%
Maise	35%
Oats	25%

Whereas, for the purpose of calculating the value of this quantity of feed grain and in view of its composition, it is thus clear that its price on the world market is equal to the average, weighted according to its composition of the prices for each of the cereals in question ;

Whereas in order to calculate the price of each of the constituent cereals the average of price for such cereal for the period mentioned in the second subparagraph of Article 12(2) of Regulation No should be used, this average being increased by 0.475 units of account per 100 kilogrammes of cereals in order to take account of the cost of transport to the place of use and of the cost of processing into feed ;

Whereas the value for the quantity of feed grain does not take into account the extra value of protein feeds, mineral salts and vitamins; whereas in the light of experience on the world market in recent years this extra value can be estimated in general at 15% of the value of the quantity of feed grain; whereas the value of that quantity should accordingly be increased by that percentage;

Whereas on the basis of the information available veterinary, stalling and labour costs on the world market may be estimated at approximately 15.63 units of account per 100 kilogrammes of pig carcasses, and the total amount on the world market in respect of insurance and transport costs and the trading margin at approximately 4.37 units of account per 100 kilogrammes of pig carcasses; whereas the value of the quantity of feed grain should therefore be increased by 20 units of account per 100 kilogrammes of pig carcasses ;

Whereas when the sluice-gate prices applicable from 1 November, 1 February and 1 May are being fixed changes in world market prices for feed grain are to be taken into account only if the value of the quantity of feed grain varies by at least a specified minimum in relation to that used in calculating the sluice-gate price for the preceding quarter ;

Whereas a variation of less than 3% does not have a noticeable effect on the costs of pig feed; whereas the minimum variation should therefore be fixed at 3%;

HAS ADOPTED THIS REGULATION:

Article 1

In addition to meat of domestic swine in carcasses or half-carcasses, fresh, chilled, frozen, salted or in brine, with or without heads, feet or flare fat (sub-headings Nos 02.01 A III (a) 1 and 02.06 B I (a) 1 of the Common Customs Tariff), sluice-gate prices shall be fixed for the following products:

CCT heading No	Description of goods
01.03	Live swine: A. Domestic species: II. Other: (a) Sows having farrowed at least once, of a weight of not less than 160 kg (b) Other
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: III: Of swine: (a) Of domestic swine: 1. Carcasses or half-carcasses, with or without heads, feet or flare fat

CCT heading No	Description of goods
	<ul style="list-style-type: none"> 2. Hams and cuts of ham, unboned (bone-in) 3. Shoulders and cuts of shoulders, unboned (bone-in) 4. Loins and cuts of loins, unboned (bone-in) 5. Bellies (streaky) and cuts of bellies 6. Other: <ul style="list-style-type: none"> (aa) Boned or boneless and frozen
02.05	<p>Pig fat free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked:</p> <ul style="list-style-type: none"> A. Back-fat: <ul style="list-style-type: none"> 1. Fresh, chilled, frozen, salted or in brine
02.06	<p>Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked:</p> <ul style="list-style-type: none"> B. Meat and edible meat offals of domestic swine: <ul style="list-style-type: none"> 1. Meat: <ul style="list-style-type: none"> (a) Salted or in brine: <ul style="list-style-type: none"> 2. Bacon sides, spencers, $\frac{3}{4}$ sides and middles: <ul style="list-style-type: none"> (aa) Bacon sides 3. Hams and cuts of ham; unboned (bone-in) 4. Shoulders (fords) and cuts of shoulders, unboned (bone-in) 5. Loins and cuts of loins, unboned (bone-in) . 6. Bellies (streaky) and cuts of bellies
15.01	<p>Lard, other pig fat and poultry fat, rendered or solvent-extracted:</p> <ul style="list-style-type: none"> A. Lard and other pig fat: <ul style="list-style-type: none"> II. Other

Article 2

1. The value of the quantity of feed grain mentioned in Article 12(2) of Regulation No . . . shall be equal to the price of 5.46 kilogrammes of feed grain with the following composition:

Barley	40%
Maize	35%
Oats	24%

2. The price of this quantity of feed grain shall be equal to the average, weighted according to the percentages shown in paragraph 1, of the prices, expressed per kilogramme, of each of the cereals contained in this quantity, that average being multiplied by 5.46.

3. The price of each cereal shall be equal to the average cif price of this cereal for the period of six months specified in the second sub-paragraph of Article 12(2) of Regulation No . . . plus an amount equal to 0.475 units of account per 100 kilogrammes of cereal.

Article 3

1. The standard amount referred to in Article 12(2) (b) of Regulation No . . . shall be 15% of the value specified in Article 2 of this Regulation.
2. The standard amount referred to in Article 12(2) (c) of Regulation No . . . shall be 20 units of account per 100 kilogrammes of pig carcasses.

Article 4

The minimum variation referred to in the last subparagraph of Article 12(2) of Regulation No . . . shall be 3%.

Article 5

1. Council Regulation No 134/67/EEC ⁽¹⁾ of 13 June 1967 establishing the list of products for which sluice-gate prices are fixed and adopting the rules for fixing the sluice-gate price for pig carcasses, as last amended by Regulation (EEC) No 2158/73 ⁽²⁾, is hereby repealed.

2. All references to the Regulation repealed by paragraph 1 shall be treated 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

(1) OJ No 120, 21 June 1967, p. 2367/67
(2) OJ No L 322, 23 November 1973, p. 1

Proposal for a

REGULATION OF THE COUNCIL

on the common organisation of the market
in pigmeat.

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY,

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 organisation of the market in pigmeat
have been amended a number of times; whereas, by reason
of their number, their complexity and their dispersal
among various Official Journals, the relevant 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 organisation of
agricultural markets, which may take various forms
depending on the product;

Whereas the aim of the common agricultural policy is
to attain the objectives set out in article 39 of the
Treaty; whereas, in the pigmeat sector, in order to
stabilise markets and to ensure a fair standard of
living for the agricultural community concerned,
provision should be made for measures to facilitate
the adjustment of supply to market requirements and
for intervention measures; whereas the latter

may take the form of buying-in by intervention agencies; whereas, however, aid should also be provided for private storage, since such aid least disturbs the normal marketing of products and can help to reduce the volume of buying-in by intervention agencies; whereas to this end provision should be made in particular for the fixing of a basic price at which intervention measures come into operation, and the conditions governing intervention should be specified ;

Whereas the creation of a single Community market for pigmeat involves 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 stabilise the Community market, in particular by preventing price fluctuations on the world market from affecting prices ruling within the Community;

Whereas to achieve this aim it should as a general rule be sufficient to introduce in respect of imports from third countries levies which take account of the incidence on feeding costs of the difference between prices for feed grain within the Community and on the world market, and of the need to protect the Community processing industry;

Whereas it is necessary to avoid disturbances on the Community market caused by offers made on the world market at abnormally low prices; whereas to this end sluice-gate prices should be fixed and levies should be increased by an additional amount when free-at-frontier offer prices are lower than those prices; whereas the system of sluice-gate prices will not operate, however, where it is difficult to determine

a sufficiently representative offer price for all the products falling within one Tariff heading ;
whereas provision should be made for a method of calculating the additional amount in such cases;

Whereas, in order that a check may be kept on the volume of imports, provision should be made for a system of import licences involving the provision of security as a guarantee that importation will be effected;

Whereas provision for a refund on exports to third countries equal to the difference between prices within the Community and on the world market would serve to safeguard Community participation in international trade in pigmeat; whereas, in order to give Community exporters the necessary security as regards the stability of refunds, provision should be made to enable refunds in the pigmeat sector to be fixed in advance ;

Whereas, in addition to the system described above, provision should be made for prohibiting when the situation on the market so requires the use of inward processing arrangements ;

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 restrictions on free circulation resulting from the application of measures intended to prevent the spread of animal disease may give rise to difficulties on the market of one or more Member States; whereas provision should be made for the introduction of exceptional measures of market support to remedy such a situation ;

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

Whereas the establishment of a single market based on a common price system would be jeopardised 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 pigmeat ;

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

HAS ADOPTED THIS REGULATION :

Article 1

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

- 5 -

CCT heading No	Description of goods
(a) 01.03 A II	Live swine, of domestic species, other than pure-bred breeding animals
(b) 02.01 A III (a)	Meat of domestic swine, fresh, chilled or frozen
02.01 B II (c)	Offals of domestic swine, fresh, chilled or frozen
02.05 A & B	Pig fat free of lean meat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked
02.06 B	Meat and edible meat offals of domestic swine, salted, in brine, dried or smoked
15.01 A	Lard and other pig fat, rendered or solvent-extracted
(c) 16.01	Sausages and the like, of meat, meat offal or animal blood
16.02 A II	Other prepared or preserved meat or meat offal, containing liver other than goose or duck liver
16.02 B III (a)	Other prepared or preserved meat or meat offal, not specified, containing meat or offals of domestic swine

2. For the purposes of this Regulation, a 'quarter' means a period of three months beginning on 1 February, 1 May, 1 August or 1 November.

TITLE I

Prices

Article 2

In order to encourage action by trade and joint trade

- 6 -

organisations to facilitate the adjustment of supply to market requirements, the following Community measures may be taken in respect of the products listed in Article 1(1);

- measures to promote better organisation of production, processing and marketing;
- measures to improve quality;
- measures to permit the establishment of short and long-term forecasts on the basis of the means of production used;
- measures to facilitate the recording of market price trends.

General rules concerning these measures shall be adopted in accordance with the procedure laid down in Article 43 (2) of the Treaty.

Article 3

The following intervention measures may be taken to prevent or mitigate a substantial fall in prices:

- aid for private storage;
- buying-in by intervention agencies.

Private storage aid may be granted for products to be determined in accordance with the rules laid down in Article 5.

Intervention agencies shall buy in carcasses or half-carcasses, fresh or chilled (Common Customs Tariff sub-heading No ex 02.01 A III (a)); they may buy in breast of pork (striped), fresh or chilled (Common Customs Tariff sub-heading No ex 02.01 A III (a)), and unrendered pig fat, fresh or chilled (Common Customs Tariff heading No ex 02.05).

Article 4

1. Before 1 August of each year a basic price shall be fixed, valid from 1 November of the same year, for meat of domestic swine in carcasses or half-carcasses (hereinafter called 'pig carcasses') of a standard quality defined with reference to a Community scale for grading pig carcasses.

When the basic price is being fixed account shall be taken of:

- the sluice-gate price and the levy applicable during the quarter beginning 1 August of each year;
- the need to fix this price at a level which contributes towards stabilising market prices without, however, leading to the formation of structural surpluses within the Community.

2. Intervention measures may be taken when the Community market price for pig carcasses, as established by reference to the prices recorded in each Member State on the representative markets of the Community weighted by means of coefficients reflecting the relative size of the pig herd in each Member State, is, and is likely to remain, equal to less than 103% of the basic price.

3. The intervention agencies designated by the Member States shall take intervention measures under the conditions laid down in Articles 5 to 7.

4. The procedure laid down in Article 43(2) of the Treaty shall apply for the purposes of:

- fixing the basic price;
- determining a standard quality for pig carcasses.

- 7(a) -

5. The Council, acting by a qualified majority

on a proposal from the Commission, shall:

- adopt a list of representative markets;
- lay down a Community scale for grading pig carcasses.

6. The procedure laid down in Article 24 shall apply for the purposes of:

- deciding to take intervention measures and the date on which they shall cease to apply;
- adopting detailed rules for the application of this Article.

Article 5

1. The buying-in price for pig carcasses of standard quality may not be more than 92% or less than 85% of the basic price.
2. For products of standard quality other than pig carcasses, buying-in prices shall be derived from the buying-in price for pig carcasses on the basis of the ratio of each of the sluice-gate prices for these products to the sluice-gate price for pig carcasses.
3. For products other than those of standard quality, buying-in prices shall be derived from those in force for the relevant standard qualities, by reference to differences in quality in relation to the standard quality. These prices shall apply to defined qualities.
4. The procedure laid down in Article 24 shall apply for the purposes of :
 - (a) determining the products to which intervention measures are to apply and specifying the qualities which may be bought in; moreover, as regards certain regions of the Community, some weight categories may be excluded from intervention where they are not representative of pigmeat production in that region ;
 - (b) fixing buying-in prices and the amount of private storage aid ;

- (o) adopting detailed rules for the application of this Article, in particular the conditions governing the buying-in and storage of products in respect of which the intervention measures provided for in Article 3 are applied.

Article 6

1. Disposal of products bought in by the intervention agencies in accordance with Articles 3, 4 and 5 shall take place in such a way as to avoid any disturbance of the market and to ensure equal access to goods and equal treatment of purchasers.

2. Detailed rules for the application of this Article, in particular as regards selling prices, conditions for release from storage and, where appropriate, the processing of products bought in by the intervention agencies, shall be adopted in accordance with the procedure laid down in Article 24.

Article 7

1. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for granting private storage aid.
2. Detailed rules of application shall be adopted in accordance with the procedure laid down in Article 24.

TITLE II

Trade with third countries

Article 8

A levy, fixed in advance for each quarter in accordance with the procedure laid down in Article 24, shall be charged on imports into the Community of the products specified in Article 1(1).

Article 9

1. The levy on pig carcasses shall be composed of:
 - (a) one component equal to the difference between prices within the Community and on the world market for the quantity of feed grain required for the production in the Community of one kilogramme of pigmeat.

The prices for feed grain within the Community shall be determined once a year for a period of twelve months beginning 1 August, on the basis of the threshold prices for such grain and the monthly increase thereof.

The prices for feed grain on the world market shall be determined quarterly on the basis of the prices for such grain for the six months preceding the quarter during which the said

component is calculated.

However, when the levies applicable from 1 November, 1 February and 1 May are being fixed, trends in world market prices for feed grain shall be taken into account only if at the same time a new sluice-gate price is being fixed.

- (b) one component equal to 7% of the average of the sluice-gate prices ruling for the four quarters preceding 1 May of each year.

This component shall be calculated once a year for a period of twelve months beginning 1 August.

2. The Council, acting by a qualified majority in accordance with Article 149(2) of the Treaty, on a proposal from the Commission, shall:

- determine the quantity of feed grain required for the production in the Community of one kilogramme of pigmeat, and the percentages of the various feed grains included in that quantity;
- adopt rules for the application of this Article.

Article 10

1. As regards the products specified in Article 1(1)(a) and (b), other than pig carcasses, the levy shall be derived from the levy on pig carcasses on the basis of the ratio within the Community of the prices for such products to the price for pig carcasses.

2. As regards the products specified in Article 1(1)(c), the levy shall be equal

to the sum of the following components:

- (a) one component derived from the levy on pig carcasses on the basis of the ratio within the Community of the prices for such products to the price for pig carcasses;
- (b) a second component equal to 7% of the average offer price determined on the basis of imports effected during the twelve months preceding 1 May of each year. However, for products falling within Common Customs Tariff heading No ex 16.02, the aforesaid percentage shall be 10%.

This component shall be calculated once a year for the twelve months beginning 1 August.

3. By way of derogation from the provisions of paragraphs 1 and 2, for products falling within any of Common Customs Tariff sub-headings Nos ex 02.01 B II, ex 15.01 A, ex 16.01 A and ex 16.02 A II, in respect of which the rate of duty has been bound within GATT, the levies shall be limited to the amount resulting from that binding.
4. The coefficients expressing the ratios mentioned in paragraphs 1 and 2 shall be fixed in accordance with the procedure laid down in Article 24.

Article 11

When a substantial price rise is recorded on the Community market and this situation is likely to continue, thereby disturbing or threatening to disturb the market, the necessary measures may be taken.

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

Article 12

1. Sluice-gate prices shall be fixed in advance for each quarter in accordance with the procedure laid down in Article 24.
2. The sluice-gate price for pig carcasses shall be composed of:
 - (a) an amount equal to the value on the world market of the quantity of feed grain equivalent to the quantity of feeding-stuffs required for the production in third countries of one kilogramme of pigmeat;
 - (b) a standard amount representing the extra cost in relation to feed grain of feeding stuffs other than grain required for the production of one kilogramme of pigmeat;
 - (c) a standard amount representing overhead costs of production and marketing.

The value of the quantity of feed grain shall be determined quarterly on the basis of the world market prices for cereals recorded in the course of the six months preceding the quarter during which the sluice-gate price is fixed.

However, when the sluice-gate price applicable from 1 November, 1 February and 1 May is being fixed, trends in world market prices for feed grain shall be taken into account only if the value of the quantity of

feed grain varies by at least a specified minimum in relation to that used in calculating the sluice-gate price for the preceding quarter.

3. Sluice-gate prices shall be fixed only for certain of the products other than pig carcasses specified in Article 1(1). Such sluice-gate prices shall be derived from the sluice-gate price for pig carcasses on the basis of the ratio fixed for such products under Article 10(4).

4. The Council, acting by a qualified majority on a proposal from the Commission shall :

- determine the quantity of feed grain specified in paragraph 2(a) and the percentages of the various feed grains included in that quantity;
- adopt a list of the products for which sluice-gate prices are to be fixed;
- adopt rules for calculating the sluice-gate price for pig carcasses.

Article 13

1. Where the free-at-frontier offer price for a product falls below the sluice-gate price, the levy on that product shall be increased by an additional amount equal to the difference between the sluice-gate price and the free-at-frontier offer price.

For certain of the products for which no sluice-gate price is fixed a system of 'pilot products' and 'derived products' shall be established to enable additional amounts to be fixed.

2. However, the levy shall not be increased by the aforesaid additional amount as regards third countries which are prepared and in a position to guarantee that the price for imports into the Community of products originating in and coming from their territory will not be lower than the sluice-gate price for the product in question and that any deflection of trade will be avoided.

3. The free-at-frontier offer price shall be determined for all imports from all third countries.

However, if exports from one or more third countries are effected at abnormally low prices, lower than the prices ruling in other countries, a second free-at-frontier offer price shall be determined for exports from these other countries.

4. The Council, acting by a qualified majority as laid down in Article 23(2) of the Treaty on a proposal from the Commission, shall adopt general rules concerning the system provided for in the second subparagraph of paragraph 1.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 24.

Where additional amounts are required these shall be fixed in accordance with the same procedure.

Article 14

1. The importation into the Community of any of the products specified in Article 1(1) may be made conditional on the submission of an import licence, which shall be issued by Member States

to any applicant irrespective of the place of his establishment in the Community.

Such licence shall be valid for an importation carried out anywhere in the Community.

The issue of such licences shall be conditional on the provision of security as a guarantee that importation will be effected during the period of validity of the licence; the security shall be wholly or partially forfeit if importation is not effected, or is only partially effected, within that period.

2. The Council, acting by a qualified majority

on a proposal from the Commission, shall adopt a list of the products for which import licences are required.

3. 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 24.

Article 15

1. To the extent necessary to enable the products specified in Article 1(1) to be exported on the basis of quotations or prices for those products on the world market, the difference between those quotations or prices and prices within 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 by the party concerned.

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3. 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.

4. The Council, acting by a qualified majority

on a proposal from the Commission, shall adopt general rules for the granting and advance fixing of export refunds and criteria for fixing the amount of such refunds.

5. Refunds shall be fixed at regular intervals in accordance with the procedure laid down in Article 24. Where necessary the Commission may, at the request of a Member State or on its own initiative, alter the refunds in the intervening period.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 24.

Article 16

1. To the extent necessary for the proper working of the common organisation of the market in pigmeat, the Council, acting by a qualified majority

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(1) which are intended for the manufacture of other products specified in that paragraph.

Article 17

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 the application of this Regulation shall form part of 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.

Any measure restricting the issue of import licences to a specified category of person shall be regarded as a measure having effect equivalent to a quantitative restriction.

Article 18

1. If by reason of imports or exports the Community market in one or more of the products specified in Article 1(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 disturbances or threat of disturbance has ceased.

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The Council acting by a qualified majority on a proposal from the Commission, shall adopt detailed 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 mentioned in paragraph 1 arises, the Commission shall, at the request of a Member State or on its own initiative, adopt 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 thereof.

3. The measures adopted 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 by qualified majority amend or repeal the measures in question.

TITLE III

General provisions

Article 19

Products as specified in Article 1(1) which are manufactured or obtained from products not coming within Articles 9(2) and 10(1) of the Treaty shall not be admitted to free circulation within the Community.

Article 20

In order to take account of any restrictions on free circulation imposed in consequence of measures to prevent the spread of animal disease, exceptional measures may be taken under the procedure provided for in Article 24 to support any market affected by such restrictions. Such measures may be taken only to the extent that and for such time as is strictly necessary for the support of that market.

Article 21

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

Article 22

The Member States and the Commission shall communicate to each other the information necessary for implementing this Regulation.

Rules for the communication and distribution of such information shall be adopted in accordance with the procedure laid down in Article 24.

Article 23

1. There is hereby set up a Management Committee for Pigneat (hereinafter called "the Committee"), consisting of representatives of 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.

Article 24

1. Where the procedure laid down in this Article is to be followed, the Chairman shall refer the matter to the Committee 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 taken. The Committee shall deliver its opinion on such measures within a time-limit to be set by the Chairman according to the urgency of the matter. Opinions shall be adopted 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, for not more than one month from the date of such communication defer application of the measures which it has adopted.

The Council, acting by a qualified majority as defined in Article 14(2) of the Treaty, may take a different decision within one month.

Article 25

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 26

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

Article 27

Should Italy have recourse to the provisions of Article 23 of Council Regulation No 120/67/EEC⁽¹⁾

of 13 June 1967 on the common organisation of the market in cereals, the Council, acting by a qualified majority on a proposal from the Commission, shall take the necessary measures to avoid distortion of competition.

Article 28

1. Council Regulation No 121/67/EEC⁽²⁾ of 13 June 1967 on the common organisation of the market in pigmeat, as last amended by Council Regulation (EEC) No 1861/74⁽³⁾ is hereby repealed.
2. All references to the Regulation repealed by paragraph 1 shall be treated as references to this Regulation.

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

(1) OJ No 117, 19 June 1967, p. 2269/67.
(2) OJ No 117, 19 June 1967, p. 2283/67.
(3) OJ No L 194, 15 July 1974, p. 3.

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MODIFICATIONS :

Règl. 830/68 du 28.6.1968 J.O 151
Règl.1253/70 du 29.6.1970 J.O. 143
Règl.1252/71 du 14.6.1971 J.O. 131
Règl.1261/71 du 15.6.1971 J.O. 132
Règl.2929/71 du 20.12.1971 J.O. 282
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Règl. 224/72 du 31.1.1972 J.O 28
Règl. 2708/72 du 19.12.1972 J.O 291

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