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I *Acts whose publication is obligatory*

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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 234/73 OF THE COUNCIL**of 31 January 1973****laying down general rules for the system of compensatory amounts for pigmeat**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the Euro-
pean Economic Community;

Having regard to the Treaty concerning the Acces-
sion of new Member States to the European Econo-
mic Community and the European Atomic Energy
Community⁽¹⁾, signed at Brussels on 22 January 1972,
and in particular Article 62 (1) of the Act annexed
thereto;

Having regard to the proposal from the Commission;

Whereas pursuant to Article 55 of the Act the dif-
ferences in price levels for agricultural products be-
tween the Community as originally constituted and
the new Member States are to be compensated by
the levying or granting of compensatory amounts
applicable in trade between them, and between the
new Member States and third countries; whereas
such compensatory amount for pigmeat must be
calculated in accordance with Article 75 of the Act;

Whereas the compensatory amount per kilogramme
of pig carcase must be calculated on the basis of
the compensatory amount applicable to the quantity
of feed grain required for the production of 1 kilo-
gramme of pigmeat in the Community; whereas this
quantity of feed grain was fixed in Article 1 of
Council Regulation No 133/67/EEC⁽²⁾ of 13 June
1967 laying down general rules for calculating a
component of the levy applicable to pig carcasses;

Whereas the compensatory amounts for feed grain
were fixed in accordance with Council Regulation

(EEC) No 229/73⁽³⁾ of 31 January 1973 laying
down general rules for the system of compensatory
amounts for cereals;

Whereas the economic situation of pig production
in the new Member States should also be taken into
account;

Whereas the compensatory amount for the other
products specified in Council Regulation No 121/
67/EEC⁽⁴⁾ of 13 June 1967 on the common organi-
zation of the market in pigmeat, as last amended by
the Act must be derived from the compensatory
amount for pig carcasses with the help of the co-
efficients used in calculating the levy;

Whereas the compensatory amounts for cereals are
applicable until 31 July 1973; whereas the same
period of applicability should therefore be provided
for in respect of pigmeat;

Whereas provision should be made for a period of
adjustment in order to prevent excessive price changes
in the new Member States at the beginning of the
period of transition;

Whereas under Article 7 of Regulation (EEC)
No 229/73 the charging or granting of compensatory
amounts for cereals may be limited in order to deal
with the situation referred to in Article 56 of the
Act; whereas such limitation must be taken into
account for pigmeat products, inasmuch as they are
derived from cereals, if the proper functioning of the
common organization of the markets is to be as-
sured; whereas lard, which is subject to particular
market conditions in certain new Member States,
should furthermore be exempt from this limitation
of compensatory amounts;

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No 120, 26. 6. 1967, p. 2366/67.

⁽³⁾ OJ No L 27, 1. 2. 1973, p. 25.

⁽⁴⁾ OJ No 117, 19. 6. 1967, p. 2283/67.

Whereas since the aim of the compensatory amounts in intra-Community trade is to provide satisfactory conditions for the movement of products between two Member States with different price levels, a compensatory amount must be levied for imports into a Member State having a higher price level for feed grain, and, conversely, must be granted for exports to a Member State having a lower price level for feed grain;

Whereas, consequently, Article 55 (1) (a) of the Act, under which compensatory amounts are to be levied by the importing Member State or granted by the exporting Member State, means that the task of levying or granting these amounts falls to the Member State having the higher price level for feed grain;

Whereas rules must be laid down for the levying and granting of compensatory amounts in such a way as to avoid deflection of trade;

HAS ADOPTED THIS REGULATION:

Article 1

1. The compensatory amounts for domestic pigmeat, in the form of carcasses or half-carcasses, with or without heads, feet or flare fat, referred to under 02.01 A III (a) 1 of the Common Customs Tariff, and hereinafter designated 'pig carcasses', applicable until 31 July 1973 in trade between the Community as originally constituted and the new Member States, and between those States and third countries, shall be as shown below:

	u.a./100 kg		
	February/ March 1973	April/ May 1973	June/ July 1973
Denmark	2.06	1.79	1.36
Ireland	8.50	7.36	5.60
United Kingdom	20.21	17.50	13.30

2. The compensatory amounts applicable from 1 August 1973 shall be calculated on the basis of the amounts referred to in paragraph 1 for the months of June and July by reference to the variation in the compensatory amounts applicable for the quantity of feed grains required to produce one kilogramme of pigmeat in the Community.

Article 2

The compensatory amounts for the products specified in Article 1 (1) of Regulation No 121/67/EEC other than pig carcasses, applicable in trade between the Community as originally constituted and the new Member States, and between those States and third countries, shall be derived from the compensatory amount applicable to pig carcasses with the aid of the co-efficients expressing the ratio referred to in Article 10 (1) and (2) (a) of the Regulation aforesaid.

Article 3

1. If Article 7 of Regulation (EEC) No 229/73 is applied for one or more days in a month, the amount applicable the following month as compensatory amount for the products referred to in Articles 1 and 2 shall be determined each month by reference to the average of the amount determined during the first 25 days of the previous month for the cereals included in the quantity of feed grain referred to in Article 1 of Regulation No 133/67/EEC.

However, if the amount varies by less than 5 % from the amount determined for the previous month, it shall remain unaltered.

2. The amounts applicable during February 1973 shall be equal to the compensatory amounts fixed in accordance with Articles 1 and 2, less the difference between those compensatory amounts and those calculated by reference to the average of the levies operative during the first 25 days of January 1973 for the cereals in question.

3. The provisions of paragraphs 1 and 2 are not applicable to the compensatory amount for products falling under heading No 15.01 A of the Common Customs Tariff.

Article 4

The compensatory amounts applicable in trade between two new Member States shall be equal to the difference between the compensatory amounts applicable in trade between each of those States and the Community as originally constituted.

Article 5

In trade between the new Member States and between those States and the Community as originally constituted the compensatory amounts shall be granted or levied by whichever Member State has the higher price level for the quantity of feed grain specified in Article 1 of Regulation No 133/67/EEC.

Article 6

1. In trade between the new Member States and third countries, the compensatory amounts shall be deducted from the levies or refunds.

2. If a compensatory amount is fixed for a given product and the refund is lower than that compensatory amount or has not been fixed, then, when the product in question is exported to a third country, provision may be made for a levy in the new Member State in question which shall not exceed the difference between the compensatory amount and the refund or, as the case may be, to the compensatory amount.

Article 7

The compensatory amount applicable shall be that in force on the day of importation or exportation.

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

Done at Brussels, 31 January 1973.

Article 8

1. Detailed rules for the granting, levying and recovery of the compensatory amounts shall be such as to prevent, in particular, deflection of trade and shall be adopted in accordance with the procedure laid down in Article 24 of Regulation No 121/67/EEC.

2. Detailed rules for the application of this Regulation and in particular the compensatory amounts, other than those fixed in Article 1 (1) shall be drawn up by the same procedure.

3. The amounts referred to in Article 3 shall be determined by the Commission.

Article 9

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

For the Council

The President

A. LAVENS

REGULATION (EEC) No 235/73 OF THE COUNCIL

of 31 January 1973

laying down the general rules of the system of compensatory amounts for poultrymeat

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the Euro-
pean Economic Community;

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

Having regard to the proposal from the Commission:

Whereas, pursuant to Article 55 of the Act, differences
in the price levels of agricultural products between
the Community as originally constituted and the new
Member States are to be compensated by levying
or granting compensatory amounts applicable in trade
between the new Member States and in trade between
the new Member States and third countries; whereas
such amounts are to be calculated in respect of
poultry meat in accordance with Article 79 of the
Act;

Whereas the compensatory amount applicable per
kilogramme of slaughtered poultry must be calcula-
ted on the basis of the compensatory amounts appli-
cable to the quantity of feed grain which is required
for the production in the Community of 1 kg of
slaughtered poultry; whereas this quantity of feed
grain was fixed in Annex I to Council Regulation
No 146/67/EEC ⁽²⁾ of 21 June 1967 laying down
rules for calculating the levy and the sluice-gate
price for poultrymeat;

Whereas the compensatory amount applicable per
chick is calculated in accordance with the same
criteria;

Whereas the compensatory amounts applicable to
feed grain were fixed in accordance with Council
Regulation (EEC) No 229/73 ⁽³⁾ of 31 January 1973
laying down general rules for the system of compen-
satory amounts for cereals;

Whereas, moreover, account should be taken of the
economic situation of poultry production in the new
Member States;

Whereas the compensatory amount for the other
products covered by Council Regulation No 123/67/
EEC ⁽⁴⁾ of 13 June 1967 on the common organiza-
tion of the market in poultrymeat, as last amended
by the Act must be derived from the compensatory
amount applicable to slaughtered poultry with the
help of the coefficients used for the calculation of
the levy;

Whereas the compensatory amounts for cereals are
applicable until 31 July 1973; whereas the same
period of applicability should therefore be provided
for in respect of poultrymeat;

Whereas, in pursuance of Article 7 of Regulation (EEC)
No 229/73, the levying or granting of compensatory
amounts for cereals can be limited in order to deal
with the situation referred to in Article 56 of the
Act, it is necessary to take this restriction into account
for poultrymeat products, viewed as products derived
from cereals, in order to ensure the proper func-
tioning of the common organization of the market;

Whereas, since the aim of compensatory amounts in
intra-Community trade is to provide satisfactory
conditions for the movement of products between
two Member States with different price levels, a
compensatory amount must be levied for imports
into a Member State having a higher price level for
feed grain and, conversely, such an amount must be
granted for exports to a Member State having a
lower price level for feed grain;

Whereas, consequently, Article 55 (1) (a) of the Act,
under which compensatory amounts are to be levied
by the importing Member State or granted by the
exporting Member State, means that the task of
levying or granting such amounts falls to the Mem-
ber State having the highest price level for feed
grain;

Whereas rules must be laid down for the levying and
granting of compensatory amounts in such a way
as to avoid deflection of trade;

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No 125, 26. 6. 1967, p. 2470/67.

⁽³⁾ OJ No L 27, 1. 2. 1973, p. 25.

⁽⁴⁾ OJ No 117, 19. 6. 1967, p. 2301/67.

HAS ADOPTED THIS REGULATION:

Article 1

1. The compensatory amounts for slaughtered poultry and chicks, applicable in trade between the Community as originally constituted and the new Member States, and between those States and third countries, until 31 July 1973, are fixed in the Annex hereto.

2. The compensatory amounts applicable from 1 August 1973 shall be calculated on the basis of the amounts referred to in paragraph 1 by reference to the variation in the compensatory amounts applicable for the quantity of feed grains required to produce 1 kg of poultrymeat or one chick in the Community.

Article 2

The compensatory amounts for the products referred to in Article 1 (2) (d) of Regulation No 123/67/EEC, applicable in trade between the Community as originally constituted and the new Member States, and between those States and third countries, shall be derived from the compensatory amount applicable to slaughtered poultry with the help of the coefficients expressing the ratios referred to in Article 5 (1) of the abovementioned Regulation.

Article 3

1. If on one or more days in a month Article 7 of Regulation (EEC) No 229/73 is applied, the amount applicable in the following month as the compensatory amount for the products referred to in Articles 1 and 2, shall be determined monthly on the basis of the average of the amounts determined during the first 25 days of the preceding month for the cereals included in the quantity of feed grain referred to in Article 1 of Regulation No 146/67/EEC.

However, if the amount varies by less than 5% of the amount determined for the preceding month it shall remain unchanged.

2. The amounts applicable during February 1973 shall be equal to the compensatory amounts fixed in

accordance with Articles 1 and 2 less the difference between those compensatory amounts and the amounts calculated in the light of the average of the levies valid during the first 25 days of January 1973 for the cereals in question.

Article 4

The compensatory amounts applicable in trade between two new Member States shall be equal to the difference between the compensatory amounts applicable in trade between those new Member States respectively and the Community as originally constituted.

Article 5

In trade between the 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 concerned whose price level for the quantity of feed grain referred to in Annex I of Regulation No 146/67/EEC is the higher.

Article 6

1. In trade between the new Member States and third countries, the compensatory amounts shall be deducted from levies and refunds.

2. If, where a compensatory amount is fixed for a product, the refund is lower than that compensatory amount, or is not fixed, provision may be made for the levy in the new Member State concerned, when exporting the product in question to third countries, of an amount not exceeding the difference between the compensatory amount and the refund or, as the case may be, not exceeding the compensatory amount.

Article 7

The compensatory amount applicable shall be that in force on the day of importation or exportation.

Article 8

1. Detailed rules for the granting, levying and recovery of compensatory amounts shall be laid

down in such a way as to prevent, in particular, deflection of trade and in accordance with the procedure laid down in Article 17 of Regulation No 123/67/EEC.

2. Detailed rules for the application of this Regulation and in particular compensatory amounts other than those determined in Article 1 (1) shall be drawn up according to the same procedure.

3. The amounts referred to in Article 3 shall be fixed by the Commission.

Article 9

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

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

ANNEX

CC1 heading No	Description of goods	Trade with		
		Denmark	Ireland	United Kingdom
1	2	3	4	5
01.05	Live poultry, that is to say, fowl, ducks, geese, turkeys, and guinea fowls: A. Of a weight not exceeding 185 g (known as 'chicks')	u.a./100 units	u.a./100 units	u.a./100 units
		0.1328	0.7175	1.4127
02.02	Dead poultry (that is to say, fowls, ducks geese, turkeys, and guinea fowls) and edible offals thereof (except liver), fresh, chilled, or frozen: A. Whole poultry: I. Fowl: a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and gutted, without heads and feet, but with hearts, livers, and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers, and gizzards, known as '65 % chickens' II. Ducks: a) Plucked, bled, not drawn or gutted with heads and feet, known as '85 % ducks' b) Plucked and drawn, without heads and feet, with or without hearts, livers, and gizzards, known as '70 % ducks' III. Geese: a) Plucked, bled, not drawn, with heads and feet, known as '82 % geese' b) Plucked and drawn, without heads and feet, with or without hearts and gizzards, known as '75 % geese' IV. Turkeys V. Guinea fowls	u.a./100 kg	u.a./100 kg	u.a./100 kg
		0.3346	3.7294	6.6737
		0.3859	4.3016	7.6976
		0.4277	4.7678	8.5318
		1.0278	5.5428	10.9547
		1.2486	6.7334	13.3077
		1.1038	5.9527	11.7648
		1.2051	6.4992	12.8448
		0.9699	5.2306	10.3376
		1.5091	8.1386	16.0840

REGULATION (EEC) No 236/73 OF THE COUNCIL

of 31 January 1973

amending several regulations relating to agriculture in consequence of the decisions taken concerning the currencies 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 the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 62 (1) of the Act;

Having regard to the proposal from the Commission;

Whereas it is necessary, as a result of the decisions taken concerning the conversion rate to be used in respect of the currencies of the new Member States, to amend several regulations in which prices or amounts were fixed for the new Member States; this is the case in particular;

- for Council Regulation (EEC) No 647/72 ⁽²⁾ of 30 March 1972 fixing the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana padano and Parmigiano-Reggiano cheese for the 1972/73 marketing year, as amended by Regulation (EEC) No 2715/72 ⁽³⁾;
- for Council Regulation (EEC) No 2709/72 ⁽⁴⁾ of 19 December 1972 fixing the guide prices for fishery products listed in Annex I (A) and (C) to Regulation (EEC) No 2142/70 for the fishing year 1973, as amended by Regulation (EEC) No 2825/72 ⁽⁵⁾;
- for Council Regulation (EEC) No 1653/72 ⁽⁶⁾ of 31 July 1972 amending the guide prices for calves and adult bovine animals operative for the

1972/73 marketing year, as amended by Regulation (EEC) No 2823/72 ⁽⁷⁾;

HAS ADOPTED THIS REGULATION:

Article 1

Article 1a of Regulation (EEC) No 647/72 is replaced by the following:

Article 1a

The intervention price of butter applicable until the end of the 1972/73 marketing year shall be:

- for Denmark 168.53 units of account per 100 kg
- for Ireland 155.11 units of account per 100 kg
- for the United Kingdom 76.06 units of account per 100 kg

Article 2

In the second paragraph of Article 1 of Regulation (EEC) No 1653/72:

- the figure 83 is replaced by 74.85
- the figure 67 is replaced by 60.42.

Article 3

In Article 1a of Regulation (EEC) No 2709/72 the figure 400 in the column 'guide price (u. a./ton)' is replaced by the figure 360.732.

*Article 4*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 31 January 1973.

*For the Council**The President*

A. LAVENS

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.⁽²⁾ OJ No L 79, 1. 4. 1972, p. 2.⁽³⁾ OJ No L 291, 28. 12. 1972, p. 17.⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 7.⁽⁵⁾ OJ No L 298, 31. 12. 1972, p. 10.⁽⁶⁾ OJ No L 174, 1. 8. 1972, p. 55.⁽⁷⁾ OJ No L 298, 31. 12. 1972, p. 3.

REGULATION (EEC) No 237/73 OF THE COUNCIL

of 31 January 1973

laying down general rules for the system of compensatory amounts for eggs

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the Euro-
pean Economic Community;

Having regard to the Treaty ⁽¹⁾ concerning the ac-
cession of new Member States to the European
Economic Community and the European Atomic
Energy Community, signed at Brussels on 22 January
1972, and in particular Articles 47 (5) and 62
(1) of the Act annexed thereto;

Having regard to the proposal from the Commission;

Whereas pursuant to Article 55 of the Act the dif-
ferences in price levels for agricultural products
between the Community as originally constituted
and the new Member States are to be compensated
by the levying or granting of compensatory amounts
applicable in trade between them, and between the
new Member States and third countries; whereas
such compensatory amount for eggs must be calcu-
lated in accordance with Article 77 of the Act;

Whereas the compensatory amount per kilogramme
of eggs in shell must be calculated on the basis of
the compensatory amount applicable to the quantity
of feed grain required for the production in the
Community of 1 kilogramme of eggs in shell; where-
as this quantity of feed grain was fixed by Council
Regulation No 145/67/EEC ⁽²⁾ of 21 June 1967 laying
down general rules for calculating the levy and the
sluice-gate price for eggs;

Whereas the compensatory amount per egg for
hatching is calculated in accordance with the same
criteria;

Whereas the compensatory amounts for feed grain
were fixed in accordance with Council Regulation
(EEC) No 229/73 ⁽³⁾ of 31 January 1973 laying down
general rules for the system of compensatory amounts
for cereals;

Whereas the economic situation of egg production
in the new Member States should also be taken into
account;

Whereas the compensatory amounts for the other
products specified in Council Regulation No 122/67/
EEC ⁽⁴⁾ of 13 June 1967 on the common organiza-
tion of the market in eggs, as last amended by the
Act must be derived from the compensatory amount
for eggs in shell with the help of the coefficients
used in calculating the levy;

Whereas pursuant to Article 47 (1) of the Act the
compensatory amount for ovalbumin and lactal-
bumin must be calculated on the basis of the com-
pensatory amount for eggs in shell in accordance
with the rules laid down in Article 2 of Council
Regulation No 170/67/EEC ⁽⁵⁾ of 27 June 1967
on the common system of trade for ovalbumin
and lactalbumin and repealing Regulation No
48/67/EEC, as amended by Regulation (EEC) No
1081/71 ⁽⁶⁾;

Whereas the compensatory amounts for cereals are
applicable until 31 July 1973; whereas the same
period of applicability should therefore be provided
for in respect of eggs;

Whereas, in pursuance of Article 7 of Regulation
(EEC) No 229/73, the levying or granting of com-
pensatory amounts for cereals can be limited in
order to deal with the situation referred to in Article
56 of the Act; it is necessary to take this restriction
into account for egg products, viewed as products
derived from cereals, in order to ensure the proper
functioning of the common organization of the
markets;

Whereas since the aim of the compensatory amounts
in intra-Community trade is to provide satisfactory
conditions for the movement of products between
two Member States with different price levels, a
compensatory amount must be levied for imports
into a Member State having a higher price level for
feed grain, and, conversely, must be granted for
exports to a Member State having a lower price
level for feed grain;

⁽¹⁾ OJ L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No 125, 26. 6. 1967, p. 2467/67.

⁽³⁾ OJ No L 27, 1. 2. 1973, p. 25.

⁽⁴⁾ OJ No 117, 19. 6. 1967, p. 2293/67.

⁽⁵⁾ OJ No 130, 28. 6. 1967, p. 2596/67.

⁽⁶⁾ OJ No L 116, 28. 5. 1971, p. 9.

Whereas, consequently, Article 55 (1) (a) of the Act, under which compensatory amounts are to be levied by the importing Member State or granted by the exporting Member State, means that the task of levying or granting these amounts falls to the Member State having the higher price level;

Whereas rules must be laid down for the levying and granting of compensatory amounts in such a way as to avoid deflection of trade;

HAS ADOPTED THIS REGULATION:

Article 1

1. The compensatory amounts for eggs in shell applicable until 31 July 1973 in trade between the Community as originally constituted and the new Member States, and between those States and third countries, shall be as shown in the Annex.

2. The compensatory amounts applicable from 1 August 1973 shall be calculated on the basis of the amounts referred to in paragraph 1, according to the variation in the compensatory amounts applicable to the quantity of feed grain necessary for production in the Community of 1 kg of eggs in shell or one hatching egg.

Article 2

The compensatory amounts for the products specified in Article 1 (1) (b) of Regulation No 122/67/EEC, applicable in trade between the Community as originally constituted and the new Member States, and between those States and third countries, shall be derived from the compensatory amount for eggs in shell, other than eggs for hatching, with the help of the coefficients expressing the ratio specified in Article 5 (2) of the Regulation aforesaid.

Article 3

The compensatory amounts for the products specified in Article 1 of Regulation No 170/67/EEC, applicable in trade between the Community as originally constituted and the new Member States, and between those States and third countries, shall be derived from the compensatory amount for eggs in shell, other than eggs for hatching, with the help of the coefficients specified in Article 2 (1) of the Regulation aforesaid.

Article 4

1. If on one or more days in a month Article 7 of Regulation (EEC) No 229/73 is applied, the amount applicable in the following month as compensatory amount for the products referred to in Articles 1, 2 and 3 shall be fixed each month in relation to the average of the amounts fixed during the first 25 days of the preceding month for the cereals included in the quantity of feed grains referred to in Article 1 of Regulation No 145/67/EEC.

However, if the amount shows a variation of less than 5 % from the amount fixed for the previous month, it shall be maintained unchanged.

2. The amounts applicable during February 1973 shall be equal to the compensatory amounts fixed in accordance with Articles 1, 2 and 3, less the difference between those compensatory amounts and the amounts calculated from the average for the levies during the first 25 days of January 1973 for the cereals concerned.

Article 5

The compensatory amounts applicable in trade between two new Member States shall be equal to the difference between the compensatory amounts applicable in trade between each of those States and the Community as originally constituted.

Article 6

In trade between the new Member States and between those States and the Community as originally constituted the compensatory amounts shall be granted or levied by that one of the Member States in question in which the price level for the quantity of feed grain specified in Annex I to Regulation No 145/67/EEC is the higher.

Article 7

1. In trade between the new Member States and third countries, the compensatory amounts shall be deducted from the levies or refunds.

2. If a compensatory amount is fixed for a given product and the refund is lower than that compen-

satory amount or has not been fixed, then, when the product in question is exported to a third country, the new Member State in question may levy an amount equal to and not more than the difference between the compensatory amount and the refund or, as the case may be, to the compensatory amount.

Article 8

The compensatory amount applicable shall be that in force on the day of importation or exportation.

Article 9

1. Detailed rules for the granting, levying and recovery of the compensatory amounts shall be such as to prevent, in particular, deflection of trade

and shall be adopted in accordance with the procedure laid down in Article 17 of Regulation No 122/67/EEC.

2. Detailed rules for the application of this Regulation and in particular the compensatory amounts other than those fixed in Article 1 (1) shall be drawn up according to the same procedure.

3. The amounts referred to in Article 4 shall be fixed by the Commission.

Article 10

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

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

ANNEX

CCT heading No	Description	Trade with:		
		Denmark	Ireland	United Kingdom
1	2	3	4	5
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not: A. Eggs in shell, fresh or preserved: 1. Poultry eggs: a) Eggs for hatching (a)	u.a./100 pieces	u.a./100 pieces	u.a./100 pieces
		0.0830	0.4485	0.8829
		u.a./100 kg	u.a./100 kg	u.a./100 kg
	b) Other	0.8556	4.6210	9.0982

(a) Only poultry eggs which fulfil the conditions stipulated by the competent authorities of the European Communities are eligible for entry under this subheading.

REGULATION (EEC) No 238/73 OF THE COUNCIL

of 31 January 1973

amending Regulation (EEC) No 795/72 fixing for the 1972/73 marketing year the derived intervention prices for white sugar, the intervention prices for raw beet sugar and the minimum prices for beet 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 Council Regulation (EEC) No 1009/67/EEC ⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar as last amended by the Act ⁽²⁾ concerning the Conditions of Accession and the Adjustments to the Treaties, and in particular Articles 3 (6), 4 (4), 9 (7) and 28 thereof;

Having regard to the proposal from the Commission;

Whereas Council Regulation (EEC) No 794/72 ⁽³⁾ of 17 April 1972 fixing for the 1972/73 marketing year, the sugar prices, the standard quality of beet and the coefficient for calculating the maximum quota fixed the intervention price for white sugar at 23.34 units of account per 100 kilogrammes for the Community area having the largest surplus;

Whereas Article 3 (2) of Regulation No 1009/67/EEC provides for derived intervention prices to be fixed for other areas, account being taken of the regional variations, which given a normal harvest and free movement of sugar, might be expected to occur in the price of sugar under natural conditions of price formation;

Whereas Article 9 (7) of Regulation No 1009/67/EEC provides for the determination of intervention prices for raw beet sugar; whereas these prices should be derived for the prices of white sugar, account being taken of a processing margin, of a flat rate yield and costs of conveying supplies;

Whereas Article 4 (1) of that Regulation provides for the determination of minimum prices for beet within and without the basic quota for every sugar beet production area in respect of which an intervention price has been fixed; whereas as concerns the determination of a minimum price for beet

within the basic quota, account should be taken of the same factors which contributed towards the calculation of the minimum prices fixed for the area having the highest surplus and as concerns beet without the basic quota no encouragement should be offered to producers with relatively high production costs;

Whereas Council Regulation (EEC) No 795/72 ⁽⁴⁾ of 17 April 1972 fixed for the 1972/73 marketing year the derived intervention prices for white sugar, the intervention prices for raw beet sugar and the minimum prices for beet in respect of the new Member States applicable in the Community as originally constituted; whereas as a result of the enlargement of the Community that Regulation should be supplemented by the determination of the aforesaid prices in respect of the new Member States;

Whereas Article 51 (2) of the Act provides for the fact that before the first move towards price alignment, the prices to be applied in each new Member State shall be fixed in accordance with the rules provided for in the common organization of the market in the sector in question at a level which allows producers in that sector to obtain returns equivalent to those obtained under the previous national system; whereas paragraph 3 of the same Article provides, however, that in respect of the United Kingdom in particular those prices shall be fixed at a level such that the application of the Community rules results in a level of market prices comparable with the level recorded in the Member State concerned during a representative period preceding the implementation of the Community rules; whereas, in respect of sugar, pursuant to Articles 51 (1) and 81 of the Act, these provisions shall apply to the derived intervention price for white sugar, the intervention price for raw sugar and the minimum price for beet;

HAS ADOPTED THIS REGULATION:

Article 1

The text of Article 2 of Regulation (EEC) No 795/72 shall be replaced by the following:

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 94, 21. 4. 1972, p. 2.

⁽⁴⁾ OJ No L 94, 21. 4. 1972, p. 4.

'For the regions other than that referred to in Article 2 (3) of Regulation (EEC) No 794/72, the derived intervention price for 100 kg of white sugar shall be:

- (a) 24.84 units of account for all regions of Italy;
- (b) 23.01 units of account for the French overseas departments;
- (c) 23.34 units of account for the other regions of the Community as originally constituted;
- (d) 23.34 units of account for all regions of Denmark;
- (e) 21.06 units of account for all regions of Ireland;
- (f) 18.96 units of account for all regions of the United Kingdom.'

Article 2

The text of Article 3 of Regulation (EEC) No 795/72 shall be replaced by the following:

'1. The intervention price for 100 kg of raw beet sugar shall be:

- (a) 19.85 units of account for the Community area having the largest surplus and the regions referred to in Article 2 (c) and (d);
- (b) 21.23 units of account for the regions referred to in Article 2 (a);
- (c) 17.90 units of account for the regions referred to in Article 2 (e);
- (d) 14.79 units of account for the regions referred to in Article 2 (f).

This intervention price shall be valid for raw sugar of standard quality, unpacked, ex-factory,

loaded onto the means of transport chosen by the buyer.

2. The derived intervention price for the French overseas departments for raw sugar referred to in Article 3 (4) of Regulation No 1009/67/EEC shall be 20.01 units of account per 100 kg.'

Article 3

The text of Article 4 of Regulation (EEC) No 795/72 shall be replaced by the following:

'1. The minimum price for beet shall be, per metric ton:

- (a) 19.63 units of account for the regions referred to in Article 2 (a);
- (b) 17.68 units of account for the regions referred to in Article 2 (c) and (d);
- (c) 15.95 units of account for the regions referred to in Article 2 (e);
- (d) 14.29 units of account for the regions referred to in Article 2 (f).

2. The minimum price for beet outside the basic quota shall be, per metric ton:

- (a) 10.40 units of account for the area having the largest surplus determined in Article 2 (3) of Regulation (EEC) No 794/72 and for the areas referred to in Article 2 (c);
- (b) 12.35 units of account for the regions referred to in Article 2 (a).'

Article 4

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

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

REGULATION (EEC) No 239/73 OF THE COUNCIL

of 31 January 1973

on the marketing price for sugar imported into the United Kingdom under the terms of the Commonwealth Sugar Agreement and on measures to assist the marketing of sugars produced in the French overseas departments

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 the new Member States to the European Economic Community and to the European Atomic Energy Community and in particular paragraph 5 of Protocol No 17 annexed to the Act⁽¹⁾ appended to that Treaty;

Having regard to Council Regulation No 1009/67/EEC⁽²⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by the Act and in particular Article 9 (7) first indent thereof;

Having regard to the proposal from the Commission;

Whereas Protocol No 17 annexed to the above-mentioned Act authorizes the United Kingdom to import, under special conditions, certain quantities of sugar from the exporting countries and territories referred to in the Commonwealth Sugar Agreement;

Whereas paragraph 3 of the said protocol provides that the price at which the sugar in question is marketed in the United Kingdom shall be fixed at a level such as to allow the quantities in question effectively to be marketed without prejudicing the marketing of Community sugar; whereas these quantities refer to raw cane sugar;

Whereas Article 9 (5) of Regulation No 1009/67/EEC provides for suitable measures to be taken if difficulties are encountered in the marketing of sugar produced in the French overseas departments; whereas when the common organization of the market in sugar was first applied such difficulties in marketing were accounted for by Council Regula-

tion (EEC) No 911/69⁽³⁾ of 13 May 1969 on measures to assist the marketing of sugar produced in the French overseas departments by which France was authorized to grant national aid for the refining of such sugar; whereas that French national aid should be replaced from now on by Community aid applicable in the Community as originally constituted;

HAS ADOPTED THIS REGULATION:

Article 1

1. The marketing price of sugar imported into the United Kingdom pursuant to Protocol No 17 of the Act shall be fixed per 100 kilogrammes of raw cane sugar:

- (a) at 14.88 units of account for the period from 1 February 1973 to 30 June 1973;
- (b) at 15.78 units of account for the period from 1 July 1973 to 30 June 1974;
- (c) at 16.68 units of account for the period from 1 July 1974 to 28 February 1975.

2. This marketing price shall apply to raw sugar of the standard quality, in bulk, cif, free out, United Kingdom ports.

Article 2

During the period from 1 February 1973 to 28 February 1975 a subsidy shall be granted to any refiner who processes, within the framework of the maximum quota, raw sugar produced in the French overseas departments and in an undertaking belonging to him situated in one of the Member States of the Community as originally constituted.

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽³⁾ OJ No L 118, 17. 5. 1969, p. 1.

Article 3

The subsidy referred to in Article 2 per 100 kilogrammes of white sugar produced from the raw sugar referred to in the said Article shall be equal to:

- (a) 0.93 units of account during the period from 1 February 1973 to 30 June 1973;
- (b) 0.68 units of account for the 1973/74 sugar marketing year;

- (c) 0.43 units of account during the period from 1 July 1974 to 28 February 1975.

Article 4

Regulation (EEC) No 911/69 shall be repealed.

Article 5

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

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

REGULATION (EEC) No 240/73 OF THE COUNCIL

of 31 January 1973

laying down general rules for the system of compensatory amounts for plaice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas Articles 51 and 52 of the Act lay down that in respect of the new Member States, the prices shall be fixed at a level which may be different from that of the common prices; whereas in respect of fishery products a guide price has been fixed which is different from the common guide prices; whereas this price is valid in Ireland for plaice;

Whereas under the terms of Article 55 of the Act differences in prices are to be compensated by a system of compensatory amounts;

Whereas, under these circumstances, the compensatory amounts applicable in trade with Ireland are equal to the difference between the prices fixed for that State and the common prices, and whereas the difference must be adjusted in so far as is necessary by the incidence of customs duties;

Whereas, in trade between Ireland and third countries this incidence is not to be taken into account, the rate of customs duties levied by this new Member State in respect of these countries being identical to that applied in respect of the latter by the Community as originally constituted;

Whereas, in the remainder of Ireland's trade, this incidence must be calculated as a flat rate on the basis of the guide prices and taking into account that, in cases where the compensatory amount is granted, the prices of the importing country already include the customs duty;

Whereas, in respect of plaice meeting commercial specifications other than those taken into account when the guide prices were fixed, the guide prices used in calculating the compensatory amount must be adjusted according to the differences in quality;

whereas this adjustment may be made by means of coefficients calculated on the basis of those fixed in the framework of the system of withdrawal prices for the common organization of the markets;

Whereas Article 55 (4) of the Act lays down that no compensatory amount shall be fixed if the calculation thereof results in a minimal amount; whereas it is, therefore, desirable that the minimum amount to be adopted in that eventuality should be fixed;

Whereas, since the aim of compensatory amounts in intra-Community trade is to allow movement of products on satisfactory terms between two Member States in which there are different price levels, a compensatory amount should be levied in the case of imports into the Member State which has a higher level of prices, in this case Ireland, and, conversely, such an amount should be granted in the case of exports from Ireland to the other Member States which have a lower price level;

Whereas Article 55 (1) (a) of the Act lays down that compensatory amounts shall be levied by the importing Member State or granted by the exporting Member State; whereas the task of levying or granting these amounts falls therefore to the Member State in which the price level is the higher, in this case Ireland;

Whereas the fixing of the detailed rules for levying and granting compensatory amounts should be planned in such a way as to avoid distortions of trade;

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory amounts in respect of plaice falling within heading 03.01 B I o) 1 of the Common Customs Tariff shall be subject to the following rules.

Article 2

1. In trade between Ireland and the other new Member States and in trade between Ireland and the Community as originally constituted, the compensatory amounts shall be composed of two elements:

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

(a) the basic compensatory amount, hereinafter called 'basic amount',

(b) the incidence of the customs duty.

2. In trade between Ireland and third countries the incidence of the customs duty shall not be taken into account in calculating the compensatory amount.

Article 3

1. In respect of plaice meeting the commercial specifications of the product which served as the basis for establishing the guide price, the basic amount and, in trade between Ireland and third countries, the compensatory amount, shall be equal to the difference between the guide price for plaice fixed for Ireland and the common guide price for this product.

2. In respect of other products falling within tariff heading 03.01 B I o) 1, the amounts referred to in paragraph 1 shall be equal to the difference indicated in that paragraph, adjusted by quality conversion factors.

3. The incidence of the customs duty shall be a flat rate amount reflecting the effect of the application of customs duties on the price of the imported product.

Article 4

1. Where plaice which meets the commercial specifications of the product which served as the basis for establishing the guide price is imported into Ireland from the other new Member States and the Community as originally constituted, the incidence of the customs duty shall be established by adjusting the common guide price by the customs duty applied by Ireland to imports from the same countries.

2. Where the other products falling within tariff heading 03.01 B I o) 1 are imported into Ireland from the other new Member States and the Community as originally constituted, the incidence of the customs duty shall be established in accordance with paragraph 1 and, in addition, the guide price shall be adjusted by quality conversion factors.

Article 5

1. Where plaice which meets the commercial specifications of the product which served as the basis for establishing the guide price is exported from Ireland to the other new Member States and the Community as originally constituted the incidence of the customs duty shall be established by applying the rate of customs duty applicable in the importing

Member State to the amount which would therefore be increased and would reach the level of the common guide price.

2. Where other products falling within tariff heading 03.01 B I o) 1 are exported from Ireland to the other new Member States and the Community as originally constituted, the incidence of the customs duty shall be established in accordance with paragraph 1 and the guide price shall be adjusted by quality conversion factors.

Article 6

The quality conversion factors referred to in Article 3 (2), Article 4 (2) and Article 5 (2) shall be established on the basis of those determined for the purposes of applying Article 10 of Council Regulation (EEC) No 2142/70 ⁽¹⁾ of 20 October 1970 on the common organization of the market in fishery products as last amended by the Act.

Article 7

1. For imports into Ireland from the other new Member States and the Community as originally constituted, the basic amount shall be reduced by the incidence of the customs duty.

2. For exports from Ireland to the other new Member States and the Community as originally constituted the basic amount shall be increased by the incidence of the customs duty.

Article 8

Ireland shall levy the compensatory amounts on imports and grant the compensatory amounts on exports. In the latter case these will be in addition to the export refunds.

Article 9

1. If the incidence of the customs duty per 100 kilogrammes is less than one unit of account, the compensatory amount shall be equal to the basic amount.

2. No compensatory amount shall be fixed below 0.5 units of account per 100 kilogrammes.

Article 10

The compensatory amount to be applied is that in force on the day of importation or exportation.

⁽¹⁾ OJ No L 236, 27. 10. 1970, p. 5.

Article 11

1. The detailed rules for the application of this Regulation and the detailed rules for granting, levying and recovering compensatory amounts, adopted in particular in order to prevent distortions of trade, shall be adopted in accordance with the procedure laid down in Article 29 of Regulation (EEC) No 2142/70.

2. The compensatory amounts shall be fixed in accordance with the procedure referred to in paragraph 1.

Article 12

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

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

REGULATION (EEC) No 241/73 OF THE COUNCIL

of 31 January 1973

laying down general rules for the system of compensatory amounts for sugar following the Accession of new Member States to the Community

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, and in particular Article 62 (1) of the Act annexed thereto;

Having regard to the proposal from the Commission;

Whereas in respect of the new Member States Articles 51 and 52 of the abovementioned Act provide for the fixing of prices in accordance with specific criteria which could lead to differences in price level as compared with that of the common prices; whereas pursuant to Article 55 of the Act these differences in price are to be compensated by a system of compensatory amounts;

Whereas in relation to sugar, the aforementioned Articles 51 and 52 are applicable, pursuant to Article 81 of the Act, to the derived intervention price for white sugar, the intervention price for raw sugar and the minimum price for beet;

Whereas in respect of the products for which these prices are determined, the compensatory amounts applicable in trade between the Community as originally constituted and the new Member States, and between those States and third countries, shall, pursuant to Article 55 of the Act, be equal to the difference between the prices fixed for the new Member State concerned and the common prices; whereas the compensatory amounts applicable in trade between the new Member States shall be determined by direct reference to the compensatory amounts fixed for each of those States in respect of the aforementioned trade;

Whereas in accordance with Article 82 of the Act, the compensatory amounts applicable to products other than fresh beet in Article 1 (1) (b) of Council Regulation No 1009/67/EEC ⁽²⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by the Act, shall be derived

from the compensatory amount for the primary product in question, in accordance with the rules in force for calculating the import levy;

Whereas in accordance with Article 82 of the Act, the compensatory amounts applicable to products other than molasses in Article 1 (1) (d) of Regulation No 1009/67/EEC shall be derived from the compensatory amount for the primary product in question, in accordance with the rules in force for calculating the levy in respect of the compensatory amount applicable to imports and in accordance with that in force for calculating the refund in respect of the compensatory amount applicable to exports.

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory amounts for sugar applicable until 30 June 1973 in trade between the Community as originally constituted and the new Member States, in trade between the new Member States themselves as well as between the new Member States and third countries:

- (a) shall be fixed for the products listed in Annex I in the manner indicated in that Annex;
- (b) shall be obtained in respect of the products in Article 1 (1) (d) of Regulation No 1009/67/EEC by multiplying the basic compensatory amount indicated in Annex II by the sucrose content inclusive of the content of other sugars expressed in sucrose of the product in question.

Article 2

1. The compensatory amounts shall be levied on imports and granted on exports in trade between:

- (a) the Community as originally constituted and Denmark, on the one hand,
- and
- (b) Ireland
- and

The United Kingdom, on the other

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No 308, 18. 12. 1967, p. 1.

by the Member States referred to in (a) and in (b) first indent.

2. In trade between Ireland and third countries and between the United Kingdom and third countries, levies and refunds shall be reduced by the compensatory amounts.

Article 3

The compensatory amount applied shall be that applicable on the day of importation or exportation.

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

Done at Brussels, 31 January 1973.

Article 4

1. The detailed rules to be made for the granting, levying, and collection of compensatory amounts, in particular in order to prevent deflections of trade, shall be adopted in accordance with the procedure laid down in Article 40 of Regulation 1009/67/EEC.

2. The detailed rules for applying this Regulation shall be laid down in accordance with the same procedure.

Article 5

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

For the Council

The President

A. LAVENS

ANNEX I

CCT heading No	Description of goods	Compensatory amounts applicable in trade between:					
		on the one hand	The Community as originally constituted Denmark	The Community as originally constituted Denmark	Ireland	Ireland	United Kingdom
		on the other	United Kingdom	Ireland	United Kingdom	Third Countries	Third Countries
12.04	Sugar beet, whole or sliced, fresh, dried or powdered; sugar cane: A. Sugar beet: I. Fresh II. Dried or powdered ⁽¹⁾		u.a./1000 kg				
			3.39	1.73	1.66	—	—
			24.09	12.54	11.55	12.54	24.09
17.01	Beet sugar and cane sugar, solid: B. Undenatured: I. White sugar II. Raw sugar		u.a./100 kg				
			4.38	2.28	2.10	2.28	4.38
			5.06	1.95	3.11	1.95	5.06

⁽¹⁾ Of a sucrose content, on a basis of dry matter, of at least 50 %.

ANNEX II

CCT heading No	Description of goods	Basic compensatory amounts in u.a. per 1 % of sucrose content and per 100 kg net of products in question to be used for the calculation of the compensatory amounts applicable in trade between:					
		on the one hand	The Community as originally constituted Denmark	The Community as originally constituted Denmark	Ireland	Ireland	United Kingdom
		on the other	United Kingdom	Ireland	United Kingdom	Third Countries	Third Countries
17.02 C to F	Other sugars (but not including lactose and glucose); sugar syrups (but not including lactose and glucose syrups); artificial honey (whether or not mixed with natural honey); caramel		0.0438	0.0228	0.0210	0.0228	0.0438
17.05 C	Flavoured or coloured sugars (but not including lactose and glucose) and syrups (but not including lactose and glucose syrups) but not including fruit juices containing added sugar in any proportion		0.0438	0.0228	0.0210	0.0228	0.0438

REGULATION (EEC) No 242/73 OF THE COUNCIL

of 31 January 1973

laying down general rules for the implementation of the arrangements for importing sugar into the United Kingdom within the terms of the Commonwealth Sugar Agreement

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, and in particular paragraph 5 of Protocol No 17 annexed to the Act⁽¹⁾ appended to that Treaty;

Having regard to the proposal from the Commission;

Whereas Protocol No 17 annexed to the aforementioned Act authorizes the United Kingdom to import, on special terms, certain quantities of sugar from the exporting countries and territories referred to in the Commonwealth Sugar Agreement, hereinafter referred to as the 'Agreement';

Whereas it is necessary to give an indication of the exact quantities which may be imported as well as the limits within which these may be adjusted; and whereas it is essential to devise rules for the purchase and sale of this sugar by the competent body in the United Kingdom which do not conflict with the Common Agricultural Policy and which, at the same time help to maintain certain traditional institutions;

Whereas it is appropriate to specify the total sum to be paid by the importer at the time of importation, as well as the adjustments necessary in the case of sugar whose yield differs from that of standard quality sugar; whereas various information has to be provided as regards the implementation of the import arrangements in question;

HAS ADOPTED THIS REGULATION:

Article 1

1. The provisions of Protocol No 17, paragraph 2 of the Act shall apply only to sugar which, before importation into the United Kingdom was:

(a) bought by the competent body in the United Kingdom at the purchase price calculated according to Article 2,

and

(b) re-sold by this body according to the conditions laid down in Article 4.

2. The total quantity of sugar which may be imported pursuant to Protocol No 17, paragraph 1 of the Act in respect of sugar *tel quel* a calendar year shall be 1 770 471 metric tons apportioned as follows:

Countries and territories of origin	Quantities of sugar <i>tel quel</i> in metric tons
a) Australia	340.377
The West Indies and Guyana	736.637
Mauritius	386.099
Fiji	142.247
East Africa	7.113
British Honduras	20.829
India	25.402
Swaziland	86.365
b) Southern Rhodesia	25.402 ⁽¹⁾

⁽¹⁾ Import suspended.

3. Nevertheless:

(a) when one or more countries or territories of origin is not or are not in a position to supply the quantity indicated in paragraph 2 (a), the above apportionment may be modified according to the rules laid down in the Agreement;

(b) during the period 1 February — 31 December 1973, the quantities referred to in paragraph 2 shall be:

— increased by the amount of the quantities bought in respect of the 1972 year and imported after 31 January 1973;

and

— decreased by the amount of the quantities imported during the month of January 1973 in respect of the 1973 year;

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

- (c) for the calendar year 1974, the quantities referred to in paragraph 2, increased by the amount of the quantities bought in respect of the 1973 year, but imported in 1974, may be imported until 28 February 1975.

Article 2

1. The agreed purchase price referred to in Protocol No 17, paragraph 2 of the Act shall be equal to the price decided upon under the Agreement, including, where appropriate, the special payment.
2. The agreed purchase price shall apply to raw cane sugar, polarization 96°, in bulk, fob and stowed in a seagoing vessel at the port.
3. The price referred to in paragraph 2 shall be adjusted by the increases and reductions provided for in the Agreement, in relation to the polarization of the sugar as delivered.

Article 3

A correcting factor shall be applied to the marketing price referred to in Regulation (EEC) No 239/73 ⁽¹⁾ where the yield of the sugar imported is greater or less than 92 per cent. This factor shall be obtained by dividing the percentage yield of the raw sugar imported by 92.

Article 4

1. Subject to the provisions of Article 5 (2) the re-sale price shall be fixed by the competent body in the United Kingdom on the basis of the world market price for raw sugar applicable on the day of re-sale.
2. This price shall apply to raw sugar of 96° polarization, in bulk, cif, free out, delivered United Kingdom port.
3. The re-sale price, where appropriate, shall be adjusted by the increases and reductions provided for by the Sugar Association of London in keeping with the polarization of the sugar as delivered.

⁽¹⁾ See p. 14 of this Official Journal.

Article 5

1. The Contract of Sale shall impose the following obligations in particular on the purchaser:
 - (a) responsibility for transport as far as United Kingdom ports;
 - (b) that he assume all risks concerning the merchandise from the moment of loading.
2. The competent body in the United Kingdom shall pay to the purchaser a standard amount intended to compensate, case by case:
 - (a) the cost of transporting the merchandise from the exporting country or territory to the United Kingdom;
 - (b) the cost of insuring the merchandise during transport.

Article 6

The special levy and the tax referred to in paragraph 2 of Protocol No 17 of the Act shall be collected on importation.

Article 7

1. The world market price used in calculating the tax referred to in paragraph 2 (b) of Protocol No 17 of the Act, shall be that applicable on the day of importation.
2. When the weighted average of the world market prices used in calculating the tax or the subsidy payment to be applied to imports during a given period differs from the weighted average of the re-sale prices for the quantities in respect of which contracts have been agreed during this same period, an adjustment shall be made for a subsequent period on the basis of the difference between the two weighted averages or, where appropriate, the tax or the subsidy shall be introduced.

Article 8

The United Kingdom and the Commission will furnish each other with the data necessary for the operation of this Regulation.

Article 9

The conditions of operation of this Regulation are to be established by the procedure laid down in Article 40 of Regulation No 1009/67/EEC ⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by the Act.

Article 10

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

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

REGULATION (EEC) No 243/73 OF THE COUNCIL

of 31 January 1973

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

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

rice processing, as last amended by Regulation (EEC)
No 1499/72 ⁽³⁾;

Having regard to the Treaty establishing the Euro-
pean Economic Community;

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

Whereas for products listed in Article 1 (1) (c) of
Council Regulation No 359/67/EEC ⁽⁴⁾ of 26 June
1967 on the common organization of the market in
rice, amended by the Act, the compensatory amount
must be fixed with the help of the coefficients used
in determining the variable component of the levy;
whereas these coefficients were fixed by Council
Regulation (EEC) No 1052/68 ⁽⁵⁾ of 23 July 1968
on the import and export system for products pro-
cessed from cereals and from rice, as last amended
by Regulation (EEC) No 1529/71 ⁽⁶⁾;

Having regard to the proposal from the Commission;

Whereas under Article 80 of the Act compensatory
amounts for round-grained and long-grained husked
rice and for broken rice must be established on the
basis of the difference between the threshold price
and the market prices recorded on the market of the
new Member State concerned during a reference
period;

Whereas, since the purpose of compensatory amounts
in intra-Community trade is to promote the satis-
factory circulation of products between Member
States having 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 Mem-
ber State with a lower price level;

Whereas the new Member States have until now
obtained their supplies at world market prices;
whereas if these prices which are the basis for fixing
levies adjusted for the difference in transport costs
are used, a price comparable to the threshold price
and scarcely varying from one new Member State
to another should be fixed for these new Member
States, whereas compensatory amounts for husked
and broken rice should therefore be fixed at an
identical level for the three new Member States;

Whereas it therefore 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;

Whereas the rules in Article 80 (2) of the Act apply
to compensatory amounts other than those specified
above; whereas under that Article the compensatory
amounts for paddy rice, semi-milled rice and fully
milled rice will be derived from the compensatory
amount for the reference products with the help
of the coefficients established in Commission Regu-
lation No 467/67/EEC ⁽²⁾ of 21 August 1967 fixing
the conversion rates, the processing costs and the
value of the by-products for the various stages of

Whereas Article 56 of the Act provides that appro-
priate measures may be taken with a view to ensur-
ing the proper functioning of the common organi-
zation of the market when the world market price
is higher than the price used in calculating the im-
port charge introduced under the common agricul-
tural 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 of prices on the world
market; whereas the terms on which these are to be
limited must thereof be fixed; whereas, moreover
the limitation should be reflected equally in the
compensatory amounts applicable to products pro-
cessed from rice.

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No 204, 24. 8. 1967, p. 1.

⁽³⁾ OJ No L 158, 13. 7. 1972, p. 22.

⁽⁴⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽⁵⁾ OJ No L 179, 25. 7. 1968, p. 8.

⁽⁶⁾ OJ No L 162, 20. 7. 1971, p. 11.

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 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 of 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 in the Annex listing those fixed by the Commission;

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory amounts applicable until 31 August 1973 to 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:

Round-grained husked rice:	9.90 units of account per 100 kilogrammes;
Long-grained husked rice:	11.45 units of account per 100 kilogrammes;
Broken rice:	4.55 units of account per 100 kilogrammes;

Article 2

The compensatory amounts applicable to paddy rice, semi-milled rice, milled rice and products specified in Article 1 (1) (c) of Regulation No 359/67/EEC shall be fixed with the help of the coefficients provided in Regulations No 467/67/EEC and (EEC) No 1052/68.

Article 3

In trade between the Member States and the Community as originally constituted, 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 4

1. The applicable compensatory amount shall be that ruling on the day of importation or exportation.
2. However, should the necessity arise, the decision may be taken, in accordance with the provisions of Article 7 (1) to establish a system of rules for advance fixing of the compensatory amount.

Article 5

1. If the levy for any product referred to in Article 1 is lower than the compensatory amount fixed for that product, the Commission shall, by applying the scale set out in the Annex, 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, that compensatory amount shall continue to apply.

2. For semi-milled or wholly milled rice 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 Article 14 (3) of Regulation No 359/67/EEC.

3. For the products referred to in Article 1 (c) of Regulation No 359/67/EEC, 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 products concerned.

Article 6

Where, for a given product, compensatory amount has been fixed, and the refund is lower than that compensatory amount, or has not been fixed, 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 7

1. The following shall be determined in accordance with the procedure laid down in Article 26 of Regulation No 359/67/EEC:

(a) the compensatory amounts provided for by Article 2;

(b) the compensatory amounts provided for in Article 1, for subsequent marketing years;

(c) detailed rules for granting, levying and recovering compensatory amounts, in such a way as to avoid deflections of trade and distortion of competition;

(d) other detailed rules for the application of this Regulation.

2. The Commission shall be authorized to publish the compensatory amounts together with the compensatory amounts fixed in Article 1.

Article 8

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

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

ANNEX

Amount of the Community levy u.a. 100 kg	Amounts applicable as compensatory amount u.a. 100 kg
from 16.80 to 16.21	16.50
from 16.20 to 15.61	15.90
from 15.60 to 15.01	15.30
from 15.00 to 14.41	14.70
from 14.40 to 13.81	14.10
from 13.80 to 13.21	13.50
from 13.20 to 12.61	12.90
from 12.60 to 12.01	12.30
from 12.00 to 11.41	11.70
from 11.40 to 10.81	11.10
from 10.80 to 10.21	10.50
from 10.20 to 9.61	9.90
from 9.60 to 9.01	9.30
from 9.00 to 8.41	8.70
from 8.40 to 7.81	8.10
from 7.80 to 7.21	7.50
from 7.20 to 6.61	6.90
from 6.60 to 6.01	6.30
from 6.00 to 5.41	5.70
from 5.40 to 4.81	5.10
from 4.80 to 4.21	4.50
from 4.20 to 3.61	3.90
from 3.60 to 3.01	3.30
from 3.00 to 2.41	2.70
from 2.40 to 1.81	2.10
from 1.80 to 1.21	1.50
from 1.20 to 0.61	0.90
from 0.60 to 0.01	0.30
0	0

REGULATION (EEC) No 274/73 OF THE COUNCIL

of 31 January 1973

concerning the implementing conditions of the system of compensatory amounts on importation of the goods referred to in Article 47 (1) of the Act concerning the Conditions of Accession and Adjustments to the Treaties

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 to the European Atomic Energy Community ⁽¹⁾, signed on 22 January 1972, and in particular to Article 47 (5) of the Act annexed thereto;

Having regard to the proposal from the Commission;

Whereas, pursuant to Article 47 (1) of the Act of Accession where the compensatory amounts referred to in Article 55 (1) (a) are levied in trade between the Community as originally constituted and the new Member States and between the new Member States themselves on imports of primary products considered as having been used in the manufacture of goods covered by Regulation No 170/67/EEC ⁽²⁾ on the common system of trade for ovalbumin and lactalbumin and Regulation (EEC) No 1059/69 ⁽³⁾ determining the system of trade applicable to certain goods processed from agricultural products, a compensatory amount, calculated on the basis of the said amounts and in accordance with the rules laid down by the above Regulations for calculating either the charge or the variable component applicable to the goods under consideration, shall be applied on importation of those goods;

Whereas the implementing conditions for the levy of these compensatory amounts are implementing measures of a technical nature designed especially to prevent deflections of trade; and whereas it is appropriate, in view of harmonization, to apply for this purpose the same rules as those applicable on importation of these primary products as such and to establish them according to the same procedure,

HAS ADOPTED THIS REGULATION:

Article 1

The conditions for the levy of the compensatory amounts, applicable on importation of the goods referred to in Article 47 (1) of the Act, especially those designed in order to prevent deflections of trade, shall be established according to the procedure laid down in Article 26 of Regulation No 120/67/EEC ⁽⁴⁾ of the Council of 13 June 1967, establishing a common organization of the market in the cereals sector, last amended by the Act, and according to those laid down in the corresponding articles of the other regulations establishing common organization of the markets in the sectors of the other primary products referred to in Article 2 of Regulation (EEC) No 1059/69.

Article 2

This Regulation shall enter into force on the date of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 130, 28. 6. 1967, p. 2596/67.

⁽³⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽⁴⁾ OJ No 117, 19. 6. 1967, p. 2269/67.