COMMISSION

COMMISSION DECISION

of 21 December 1973

fixing the rate of the countervailing charges which may be levied instead of minimum prices by the Federal Republic of Germany and the French Republic

(Only the German and French texts are authentic)

(74/97/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Decision of 20 December 1969 ([1]) on the system of minimum prices, as last amended by the Decision of 17 December 1973 ([2]), and in particular Article 2 (4) thereof;

Whereas the Council, by the abovementioned Decision, authorized the levying of countervailing charges on imports from other Member States firstly, of seed potatoes into France, and secondly, of vinegar and substitutes therefor with the exception of wine vinegar, into Germany, until measures for the common organization of the market in the products in question are implemented, and not later than 31 December 1974 in any event;

Whereas the Federal Republic of Germany and the French Republic were, at their request, authorized by the Commission Decisions of 19 and 21 December 1973, on the basis of Article 26 of the Treaty, to continue to postpone the lowering of customs duties to be paid pursuant to Article 23 (3), until measures for the common organization of the markets for the products in question are implemented, and not later than 31 December 1974 in any event;

Whereas in view of the foregoing, and given that development of intra-Community trade in the products in question has been satisfactory in the circumstances, the maximum rates of the charges concerned should be kept at the levels fixed by the Commission Decision of 29 December 1972 ([3]) fixing the rate of the countervailing charges which may be levied instead of minimum prices by the Federal Republic of Germany and the French Republic,

HAS ADOPTED THIS DECISION:

Article 1

1. The rate of the countervailing charges which the Federal Republic of Germany is authorized to levy by Article 2 (1) of the Council Decision of 20 December 1969 on the system for minimum prices are fixed in Annex A. Such rates shall only apply where Germany uses, to the extent of at least 80 %, the authorization granted by the Commission Decision of 19 December 1973 to continue to postpone the application of Common Customs Tariff duties to the products in question.

2. The rate of the countervailing charged which the French Republic is authorized to levy by Article 2 (2) of the Council Decision of 20 December 1969 on the system for minimum prices, are fixed in Annex B. Such rates shall only apply where France makes full use, with regard to the products in question, of the authorization granted by the Commission Decision of 21 December 1973 to continue to postpone the application of Common Customs Tariff duties to those products.

Article 2

This Decision is addressed to the Federal Republic of Germany and the French Republic.

Done at Brussels, 21 December 1973.

For the Commission

The President

François-Xavier ORTOLI

([1]) OJ No L 328, 30. 12. 1969, p. 11.
([2]) OJ No L 360, 29. 12. 1973, p. 65.
([3]) OJ No L 303, 31. 12. 1972, p. 58.

ANNEX A

CCT heading No	Description of goods	Rate of countervailing Duty DM/L
22.10	Vinegar and substitutes for vinegar :	
	B. Other, in containers containing :	
	I. 2 litres or less	23·04
	II. More than 2 litres	14·04

ANNEX B

CCT heading No	Description of goods	% of value at customs
07.01	Vegetables, fresh or chilled	
	A. Potatoes	
	I. Seed potatoes (a) :	
	under the quota	1·25
	other	5·95

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