COUNCIL DECISION

on 25 February 1975

concerning the importation of cane sugar originating in the overseas countries and territories (OCT)

(75/614/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof ;

Having regard to the recommendation from the Commission ;

Whereas it is desirable to provide in respect of cane sugar originating in the overseas countries and territories arrangements analogous with those contained in interim Agreements with certain ACP states concerning sugar,

HAS DECIDED AS FOLLOWS :

Article 1

1. The European Economic Community shall, under the conditions laid down hereunder, ensure the purchase and import, at guaranteed prices, specific quantities of cane sugar, raw or white, originating in the overseas countries and territories (OCT) which the OCT deliver to it.

2. The implementation of this Decision shall be carried out within the framework of the management of the common organization of the sugar market.

Article 2

1. The quantities of cane sugar referred to in Article 1 expressed in metric tons of white sugar, hereinafter referred to as 'specified quantities', for delivery in each 12-month period referred to in Article 3 (1), shall be as follows :

Belize	39 400
St. Kitts — Nevis — Anguilla	14 800
Surinam	

2. Nevertheless, in respect of the period up to 30 June 1975 the specified quantities, expressed in metric tons of white sugar, shall be as follows :

Belize	14 800
St. Kitts — Nevis — Anguilla	7 900
Surinam	

Article 3

1. In each 12-month period from 1 July to 30 June inclusive, herinafter referred to as the 'delivery period', the OCT sugar exporters shall deliver the quantities referred to in Article 2 (1), subject always to any adjustments resulting from the application of Article 6. They shall also deliver the quantities referred to in Article 2 (2) in the period up to 30 June 1975, which shall also be regarded as a delivery period.

2. The quantities to be delivered up to 30 June 1975, referred to in Article 2 (2), shall include supply en route from port of shipment.

3. Deliveries of OCT cane sugar in the period up to 30 June 1975 shall benefit from the guaranteed prices applicable in the delivery period beginning 1 July 1975. Identical arrangements may be made for subsequent delivery periods.

Article 4

1. The white or raw cane sugar shall be marketed on the Community market at prices freely negotiated between buyers and sellers.

2. The Community shall not intervene if and when a Member State allows selling prices within its borders to exceed the Community's threshold price.

3. The Community shall purchase, at the guaranteed price, quantities of white or raw sugar, within specified quantities, which cannot be marketed in the Community at a price equivalent to or in excess of the guaranteed price.

4. The guaranteed price, expressed in units of account, shall refer to unpacked sugar, cif European ports of the Community, and shall be fixed in respect of standard quality sugar, as defined in Community Regulations.

5. For the period from 1 February 1975 to 30 June 1976 inclusive the guaranteed prices shall be as follows :

(a) for raw sugar, 25·53 units of account per 100 kilogrammes ;

(b) for white sugar, 31·72 units of account per 100 kilogrammes.

Article 5

Purchase at the guaranteed price, referred to in Article 4 (3), shall be assured through the medium of the intervention agencies or of the other agents appointed by the Community.

Article 6

1. If, during any delivery periods, an OCT exporter of sugar fails to deliver its specified quantity in full for reasons of *force majeure*, the Commission, at the request of the Member State with which the OCT concerned has special relations, shall allow the necessary additional period for delivery.

2. If an OCT exporter of sugar informs the Commission during the course of a delivery period that it will be unable to deliver its specified quantity in full and that it does not wish to have the additional period referred to in paragraph 1 above, the shortfall shall be re-allocated by the Commission for delivery during the delivery period in question.

3. If during any delivery period, an OCT sugar exporter fails to deliver its specified quantity in full for reasons other than *force-majeure*, that quantity shall be reduced in respect of each subsequent delivery period by the undelivered quantity.

4. It may be decided by the Commission that in respect of subsequent delivery periods, the undelivered quantity shall be re-allocated between the other OCT referred to in Article 2.

Article 7

The provisions of this Decision shall enter into force on 28 February 1975. They shall continue to apply up to the date on which the future Decision of the Council enters into force concerning the Association of OCT with the European Economic Community, and not later than 30 June 1976. If the future Decision enters into force before 30 June 1976, appropriate measures shall be taken to ensure the application up to 30 June 1976 of the guaranteed price laid down in Article 4 (5).

Done at Brussels, 25 February 1975.

For the Council

The President

G. FITZGERALD