2362/67 OFFICIAL JOURNAL OF THE EUROPEAN COMMUNITIES 21.6.67

REGULATION No 131/67/EEC OF THE COUNCIL

of 13 June 1967

laying down rules for deriving intervention prices and for determining certain marketing centres for cereals

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC[1] of 13 June 1967 on the common organisation of the market in cereals, and in particular Article 4 (5) thereof;

Having regard to the proposal from the Commission;

Whereas Article 4 (1) of Regulation No 120/67/EEC provides that derived intervention prices should be fixed at a level which will allow the free movement of cereals within the Community in accordance with the needs of the market; whereas to this end intervention prices should be fixed in such a way that the differences between them correspond to the disparities in prices to be expected in a normal harvest under natural conditions of price formation on the market;

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

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

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

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

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

Whereas, in order to assist the gradual transition from the system in force in the Member States for determining marketing centres to the system established by this Regulation, provision should be made for taking special measures for a limited period;

HAS ADOPTED THIS REGULATION:

Article 1

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

— in deficit areas whose supplies depend to a certain extent on imports, on the basis of the price at which imported cereals are offered in those areas;

— in production areas whose surpluses contribute to a certain extent to the supply of the above-mentioned areas, on the basis of the above-mentioned price and the cost of transport to those areas;

— in ports of shipment, on the basis of the price in the main production area for exports and the cost of transport to the main port of shipment for that area;

[1] OJ No 117, 19.6.1967, p. 2269/67.

— in other production areas whose surpluses are likely to be exported to a certain extent, on the basis of the price ruling in the ports of shipment and the cost of transport to those ports;

— in deficit areas other than those mentioned above, on the basis of prices in the surplus area best placed from the freight point of view, and the cost of transport to the deficit area.

Article 2

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

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

Article 3

In all cases, derived intervention prices shall be fixed in such a way that there is no discrimination between Community producers and in particular that cereals coming from one region cannot be offered in another region for less than the intervention price applicable therein.

Article 4

Derived intervention prices shall in no case be fixed above the basic intervention price.

Article 5

When the intervention price for maize provided for in Article 4 (2) of Regulation No 120/67/EEC is calculated, the basic intervention price which would have been fixed for the Community if Article 4 (1) of that Regulation had applied shall be equal to the target price for maize reduced by the difference between the target price and the basic intervention price for barley for the marketing year in question.

Article 6

Derived intervention prices for the marketing centres referred to in Article 4 (5) (a) of Regulation No 120/67/EEC shall be fixed in such a way that they cannot disturb the normal pattern of trade.

Article 7

1. When derived intervention prices for barley and maize for Italy are fixed, account shall be taken of the effect of the measures taken in application of Article 23 of Regulation No 120/67/EEC.

2. If a single intervention price is fixed for maize, paragraph 1 shall not apply to that cereal.

Article 8

The marketing centres to be established in application of Article 4 (5) (a) of Regulation No 120/67/EEC shall meet one of the following conditions:

(a) location in regions having an appreciable production of cereals which considerably exceeds the local demand either regularly or occasionally;

(b) existence of substantial storage facilities;

(c) special importance as a market for the goods inside and outside the Community.

Article 9

1. Of the centres situated in regions of the kind mentioned in Article 8 (a), only those centres which meet the following conditions shall be considered: those having

(a) storage facilities with technical equipment permitting the intake, treatment and continuous discharge of a reasonably large quantity of cereals;

(b) transport connections favourable to the taking over and, more important, the disposal of cereals.

2. Of the centres meeting the conditions mentioned in Article 8 (b) or (c), only those shall be considered whose storage facilities, technical equipment and advantageous geographical situation permit the assembly and, more important, the disposal of large homogeneous quantities of cereals.

Article 10

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

Article 11

1. The provisions of Article 2 may be derogated from in the fixing of derived intervention prices for the 1967/68 marketing year.

2. The provisions of Articles 8 and 9 may be derogated from in the determination of the marketing centres referred to in Article 4 (5) (a) of Regulation No 120/67/EEC for the 1967/68 and 1968/69 marketing years.

In such cases the need to move progressively towards the full application of the rules laid down in Articles 8 and 9 shall be taken into consideration.

Article 12

This Regulation shall enter into force on 1 July 1967.

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

Done at Brussels, 13 June 1967.

For the Council

The President

Ch. HEGER