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REGULATION (EEC) No 831/69 OF THE COUNCIL

of 2 May 1969

amending Regulation No 120/67/EEC on the common organisation of the market in cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament[1];

Whereas in accordance with Article 9 (1) of Council Regulation No 120/67/EEC[2] of 13 June 1967 on the common organisation of the market in cereals, as last amended by Regulation (EEC) No 289/69,[3] a carry-over payment may be granted in respect of stocks of cereals in hand at the end of the marketing year; whereas, in certain regions of the Community, cereals from the new harvest may be marketed before 31 July, so that it is not always possible to distinguish them from the cereals of the previous harvest; whereas provision should, therefore, be made, in the Member States concerned, for limiting the stocks qualifying for the payment to the quantities declared to the competent authorities before the end of the marketing year, so that cereals from the new harvest do not benefit from this payment;

Whereas according to Article 4 (2) of the Wheat Trade Convention, to which the European Economic Community is a party, member countries which import wheat and wheat flour must purchase as large a proportion as possible of their requirements from other countries which are parties to the Convention; whereas, for this purpose, provision should be made for the issue of import licences to be suspended as far as may be necessary for compliance with this Convention;

Whereas Article 22a of Regulation No 120/67/EEC provides for the purchase of cereals or flour on the Community market or the use of the cereals held by intervention agencies in order to meet the obligations arising under the Food Aid Convention, to which the European Economic Community is a party; whereas certain countries benefiting from this aid may require, besides cereals or flour, products processed from cereals; whereas Article 22a should, therefore, be amended in order to take the latter possibility into account;

Whereas, within the framework of international obligations concerning cereals, the Community is required to furnish certain information about the development of its market; whereas, therefore, provision should be made for Member States to furnish the Commission with the necessary information;

Whereas it is apparent that certain descriptions of products or expressions used in the German text of Regulation No 120/67/EEC do not correspond to the terminology in general use; whereas, therefore, this terminology should be adopted in the German text of the Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

Regulation No 120/67/EEC shall be amended in accordance with the following Articles.

Article 2

The following sentence shall be added to the first subparagraph of Article 9 (1):

'However, for Member States in which the new harvest is usually available before the beginning of the new marketing year, it may be decided in

[1] OJ No C 41, 1.4.1969, p. 36.
[2] OJ No 117, 19.6.1967, p. 2269/67.
[3] OJ No L 41, 18.2.1969, p. 1.

accordance with the procedure referred to in paragraph 6, that the stock qualifying for the payment at the end of the marketing year may not be greater than that declared at an earlier date, to be determined in each year.'

Article 2

1. The following subparagraph shall be inserted between the first and second subparagraphs of Article 12 (1):

'However, the issue of import licences for wheat and wheat flour shall be suspended in respect of imports from countries which are not parties to the Wheat Trade Convention when compliance with the obligations entered into within the framework of that Convention so requires.'

2. In the second subparagraph of Article 12 (1), the words 'such import or export licences' shall be substituted for the words 'such licences'.

Article 4

The following paragraphs shall be substituted for paragraphs 1 and 3 of Article 22a:

'1. Obligations arising under the Food Aid Convention shall be met by the purchase on the Community market of the products listed in Article 1 or by the use of cereals held by intervention agencies.'

'3. In exceptional circumstances the products listed in Article 1 may be mobilised by purchases on the world market. Detailed rules for the application of this paragraph shall be adopted in accordance with the procedure laid down in Article 26.'

Article 5

The following shall be substituted for the text of Article 24:

'Member States and the Commission shall communicate to each other the information necessary for implementing this Regulation and for complying with the international obligations concerning cereals. Rules for the communication and distribution of such information shall be adopted in accordance with the procedure laid down in Article 26.'

Article 6

In the German text:

(a) In Article 1 (c) and Article 11 (1) (c), the words 'Grütze und Grieß' shall be substituted for the words 'Grobgrieß und Feingrieß'.

(b) In Annex A, the following shall be substituted for the description of products falling within heading No ex 11.02 of the Common Customs Tariff:

'Grütze und Grieß; Getreidekörner, geschält, perlförmig geschliffen, geschrotet oder gequetscht (einschließlich Flocken), ausgenommen enthülster, geschliffener oder glasierter Reis und Bruchreis; Getreidekeime, auch gemahlen:

ex A. Grütze und Grieß, ausgenommen Grütze und Grieß von Weizen und von Reis

B. Getreidekörner (geschält)

C. Getreidekörner, perlförmig geschliffen

D. Getreidekörner, nur geschrotet oder gequetscht

ex E. Flocken, ausgenommen Reisflocken

F. Getreidekeime, auch gemahlen.'

Article 7

This Regulation shall enter into force on the day following 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, 2 May 1969.

For the Council

The President

G. THORN