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REGULATION (EEC) No 1938/70 OF THE COUNCIL

of 29 September 1970

amending Regulation (EEC) No 132/67 laying down general rules for intervention on the market in cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 120/67[1] on the common organisation of the market in cereals, as last amended by Regulation (EEC) No 1253/70[2] and in particular Article 7 (4) thereof;

Having regard to the proposal from the Commission;

Whereas Article 3 (1) (a) of Council Regulation No 132/67/EEC[3] of 13 June 1967, laying down general rules for intervention on the market in cereals, provides that cereals held by intervention agencies shall be re-marketed on the basis of price conditions which are determined before the beginning of the marketing year;

Whereas experience has shown that the inability to amend those conditions during the marketing year may be a serious obstacle to the disposal of cereals held by intervention agencies, since market conditions may change during the marketing year; whereas, therefore, although it is necessary to publish the price conditions for re-marketing cereals held by intervention agencies before the beginning of the marketing year, amendments to those conditions should be allowed, in order to permit the disposal of intervention stocks while avoiding disturbances in the balance of the market;

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be added to Article 3 (1) (a) of Regulation No 132/67/EEC:

'where the common organisation of the market is not functioning properly, these price conditions may however be amended during the marketing year.'

Article 2

This Regulation shall enter into force on the third 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, 29 September 1970.

For the Council

The President

J. ERTL

[1] OJ No 117, 19.6.1967, p. 2269/67.
[2] OJ No L 143, 1.7.1970, p. 1.
[3] OJ No 120, 21.6.1967, p. 2364/67.