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REGULATION (EEC) No 2224/70 OF THE COMMISSION

of 29 October 1970

supplementing Regulation No 163/67/EEC as regards the conditions for the non-fixing of additional amounts on poultry-farming products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 122/67/EEC[1] of 13 June 1967 on the common organisation of the market in eggs, as last amended by Regulation (EEC) No 436/70,[2] and in particular Article 8 (4) thereof;

Having regard to Council Regulation No 123/67/EEC[3] of 13 June 1967 on the common organisation of the market in poultrymeat, and in particular Article 8 (4) thereof;

Having regard to Council Regulation No 170/67/EEC[4] of 27 June 1967 on the common system of trade for ovalbumin and lactalbumin and repealing Regulation No 48/67/EEC, and in particular Article 5 (5) thereof;

Whereas Commission Regulation No 163/67/EEC[5] of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries laid down detailed rules both on the conditions for fixing the additional amount and on the procedure for determining the third countries to which Article 8 (2) of Regulation No 122/67/EEC or of Regulation No 123/67/EEC should apply;

Whereas in pursuance of Article 2 of Commission Regulation No 201/67/EEC[6] of 28 June 1967 on detailed rules for the application of Regulation No 170/67/EEC on the common system of trade for ovalbumin and lactalbumin and repealing Regulation No 48/67/EEC, the provisions of Articles 1 to 5 of Regulation No 163/67/EEC are applicable to the products referred to in Article 1 of Regulation No 170/67/EEC;

Whereas, when additional amounts are not fixed for poultry-farming products originating in or coming from certain third countries, any abuse of the rules should be prevented and whereas, therefore, it is necessary to exclude all products which are not marketed unaltered immediately after importation into the Community;

Whereas, to ensure uniform treatment of all cases, it should be made clear that those conditions also apply to the products and the third countries covered by the following Regulations on the non-fixing of additional amounts: Regulation Nos 54/65/EEC,[7] 87/66/EEC,[8] 183/66/EEC,[9] 765/67/EEC,[10] (EEC) No 565/68,[11] (EEC) No 990/69,[12] (EEC) No 2261/69[13] or (EEC) No 59/70[14];

Whereas the Management Committee for Poultrymeat and Eggs has not issued an Opinion within the time limit set by its Chairman;

HAS ADOPTED THIS REGULATION:

Article 1

The following Article 4a shall be added to Regulation No 163/67/EEC:

'*Article 4a*

The provisions of Article 8 (2) of Regulation No 122/67/EEC and Article 8 (2) of Regulation No

[1] OJ No 117, 19.6.1967, p. 2293/67.
[2] OJ No L 55, 10.3.1970, p. 1.
[3] OJ No 117, 19.6.1967, p. 2301/67.
[4] OJ No 130, 28.6.1967, p. 2596/67.
[5] OJ No 129, 28.6.1967, p. 2577/67.
[6] OJ No 134, 30.6.1967, p. 2836/67.
[7] OJ No 59, 8.4.1965, p. 848/65.
[8] OJ No 120, 2.7.1966, p. 2229/66.
[9] OJ No 211, 19.11.1966, p. 3602/66.
[10] OJ No 260, 27.10.1967, p. 24.
[11] OJ No L 107, 8.5.1968, p. 7.
[12] OJ No L 130, 31.5.1969, p. 4.
[13] OJ No L 286, 14.11.1969, p. 24.
[14] OJ No L 11, 16.1.1970, p. 1.

123/67/EEC shall apply only to products marketed unaltered immediately after importation.'

Article 2

This Regulation shall also apply to imports of poultry-farming products for which, in pursuance of Regulation Nos 54/65/EEC, 87/66/EEC, 183/66/EEC, 765/67/EEC, (EEC) No 565/68, (EEC) No 990/69, (EEC) No 2261/69 or (EEC) No 59/70, no additional amounts are fixed.

Article 3

This Regulation shall enter into force on the tenth 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 October 1970.

For the Commission

The President

Franco M. MALFATTI