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REGULATION (EEC) No 1410/71 OF THE COUNCIL

of 29 June 1971

amending Regulation (EEC) No 804/68 on the common organisation of the market in milk and milk products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof;

Having regard to the proposal from the Commission;

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

Whereas Article 14 (1) of Council Regulation (EEC) No 804/68[2] of 27 June 1968 on the common organisation of the market in milk and milk products, as last amended by Regulation (EEC) No 1253/70,[3] provides that until the Community system referred to in the first subparagraph of Article 22 (2) is applied the rates of duty in the Common Customs Tariff shall apply to imports of the products listed in Article 1 (a) 1;

Whereas Article 15 of the same Regulation provides that, until the Community system referred to in the first subparagraph of Article 22 (2) is applied, Member States shall maintain, in relation to third countries, for the products listed in Article 1 (a) 1, the charges having effect equivalent to customs duties, the quantitative restrictions and measures having equivalent effect, applicable at the time of entry into force of that Regulation;

Whereas Council Regulation (EEC) No 1411/71[4] of 29 June 1971 laying down additional rules on the common organisation of the market in milk and milk products for products falling within tariff heading No 04.01 introduced that Community system;

Whereas, therefore, the system of import levies should also be applied to the products listed in Article 1 (a) 1 of Regulation (EEC) No 804/68 and whereas Article 15 of that Regulation is now irrelevant and should be repealed;

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be substituted for Article 14 (1), (2) and (3) of Regulation (EEC) No 804/68:

'1. A levy shall be charged on imports of the products listed in Article 1.

2. The products referred to in paragraph 1 may be divided into groups. A pilot product shall be determined for each group. The other products of a group shall hereinafter be called 'assimilated products.'

3. If it is not fixed by special provision, the levy on the products in any one group shall be equal to the threshold price for the pilot product less the free-at-frontier price.

However, by way of derogation from paragraph 1, the levy on products in respect of which the customs duty has been bound in GATT shall be limited to the amount resulting from that binding.'

Article 2

Article 15 of Regulation No 804/68/EEC is hereby repealed.

Article 3

This Regulation shall enter into force on 1 January 1972.

[1] OJ No L 151, 29.12.1970, p. 40.
[2] OJ No L 148, 28.6.1968, p. 13.
[3] OJ No L 143, 1.7.1970, p. 1.
[4] OJ No L 148, 3.7.1971, p. 4.

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

Done at Luxembourg, 29 June 1971.

For the Council

The President

M. COINTAT