30.8.71 Official Journal of the European Communities No L 195/1

# REGULATION (EEC) No 1871/71 OF THE COMMISSION

## of 27 August 1971

## amending Regulation (EEC) No 1013/71 as regards the detailed rules of application to be adopted in agriculture following the temporary widening of the margins of fluctuation for the currencies of Belgium and Luxembourg

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 974/71[1] of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States, and in particular Article 6 thereof;

Whereas Belgium and Luxembourg have informed the Commission that they are, for a limited period, widening the margins of fluctuation of the exchange rates for their currencies in relation to their actual parities; whereas the provisions of Regulation (EEC) No 974/71 are therefore applicable to these Member States;

Whereas Commission Regulation (EEC) No 1013/71[2] of 17 May 1971 laying down detailed rules for the application of Regulation (EEC) No 974/71 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States only takes account of measures taken by Germany and the Netherlands; whereas this Regulation must therefore be supplemented by analogous provisions for Belgium and Luxembourg;

Whereas the Belgo-Luxembourg Economic Union and the Netherlands have agreed to maintain between their currencies the margins of fluctuation valid before 9 May 1971; whereas, therefore, for these Member States the widening of the margins of fluctuation only affects trade with other Member States and third countries, intra-BLEU trade and trade between BLEU and the Netherlands being unaffected; whereas the Member States in question have for this reason declared their unwillingness to apply compensatory amounts in trade with each other; whereas, as far as trade is concerned, this arrangement made within the framework of the regional union between Belgium, Luxembourg and the Netherlands cannot operate properly unless the compensatory amounts applicable in these three Member States are identical; whereas an arrangement should therefore be made, pursuant to Article 233 of the Treaty, whereby uniform compensatory amounts could be fixed for these three Member States.

Whereas, moreover, a number of technical amendments must be made to the customs provisions;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committees for Fruit and Vegetables, Wine, Oils and Fats, Cereals, Pigmeat, Poultrymeat and Eggs, Sugar, Milk and Milk Products, Beef and Veal, Products Processed from Fruit and Vegetables, Tobacco, Flax and Hemp, and Fishery Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

The following is substituted for Article 1(2) of Regulation (EEC) No 1013/71:

'2. However:

(a) For Germany and the Netherlands:

- the spot market rates used to fix the compensatory amounts applicable from 12 May 1971 shall be those recorded during the period 11 to 13 May 1971;
- the reference period for the first of any changes in the compensatory amounts shall be 12 to 18 May 1971.

(b) For Belgium and Luxembourg:

- the spot market rate used to fix the compensatory amounts applicable from 24 August 1971 shall be that recorded on 24 August 1971;
- the reference period for the first change in the compensatory amounts shall be 23 to 25 August 1971.'

[1] OJ No L 106, 12.5.1971, p.1.
[2] OJ No L 110, 18.5.1971, p.8.

*Article 2*

The following subparagraph is added to Article 2 of Regulation (EEC) No 1013/71:

'(c) For the Belgian franc and the Luxembourg franc: the average official rate fixed each working day during official dealings on the Brussels foreign exchange market.'

*Article 3*

The following Article is added to Regulation (EEC) No 1013/71:

*'Article 2a*

1. For the purpose of calculating the compensatory amounts applicable in BLEU and the Netherlands, the percentage referred to in Article 2(1) of Regulation (EEC) No 974/71 shall be established on the basis of the arithmetic mean of the difference referred to in that paragraph for the Belgian franc and the same difference for the Dutch guilder during the period in question.

2. Compensatory amounts shall not apply in intra-BLEU trade or in trade between BLEU and the Netherlands.'

*Article 4*

1. The following paragraph 2a is added to Article 3 of Regulation (EEC) No 1013/71:

'2a. Where Commission Regulation (EEC) No 304/71[1] of 11 February 1971 on simplification of the Community transit procedure for goods carried by rail applies to carriage of the products in question, the entry required under paragraphs 1 and 2 above shall be made in the "Description of goods" section of the International Consignment Note (CIM) or on the International Express Parcels Consignment Note (TI Ex) as appropriate. This entry shall be authenticated by the stamp of the customs office of departure.'

2. The following paragraph 4 is added to Article 3 of Regulation (EEC) No 1013/71:

'4. For the purposes of applying this Article, BLEU and the Netherlands shall be treated as a single Member State.'

*Article 5*

Article 4(1) of Regulation (EEC) No 1013/71 is replaced by the following:

'1. The Member States referred to in Article 1 of Regulation (EEC) No 974/71 shall not apply the compensatory amounts referred to in that Article to imports effected under contracts:

(a) concluded before

- 10 May 1971, for Germany and the Netherlands
- 23 August 1971, for Belgium and Luxembourg, and

(b) registered before

- 12 May 1971, for Germany and the Netherlands
- 24 August 1971, for Belgium and Luxembourg

with the authorities of the relevant Member States; or

which can be proved by official documents to have been concluded.

*Article 6*

1. This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

2. It shall take effect as from 24 August 1971.

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

Done at Brussels, 27 August 1971.

*For the Commission*

*The President*

Franco M. MALFATTI

[1] OJ No L 35, 12.2.1971, p.31.