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REGULATION (EEC) No 772/71 OF THE COMMISSION

of 14 April 1971

amending Regulations (EEC) Nos 835/68 and 2061/69 as regards adjustments to the production refund and the denaturing premium for sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 1009/67/EEC[1] of 18 December 1967 on the common organisation of the market in sugar, as last amended by Regulation (EEC) No 1253/70[2] and in particular Article 9 (8) thereof;

Whereas Article 10 of Commission Regulation (EEC) No 835/68[3] of 28 June 1968 laying down detailed rules for the application of the production refund on sugar used in the chemical industry and Article 19 of Commission Regulation (EEC) No 2061/69[4] of 20 October 1969 laying down detailed rules governing the denaturing of sugar for animal feed, as last amended by Regulation (EEC) No 1068/70[5] provide respectively for production refunds and denaturing premiums to be precisely adjusted if certain Community prices for sugar are altered during the period of advance fixing; whereas these provisions have proved too inflexible; whereas they should therefore be amended to make it possible for a decision to be taken on the appropriate adjustment;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Sugar;

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be substituted for Article 10 of Regulation (EEC) No 835/68:

'*Article 10*

If, between the date on which the application for the production refund is lodged and the date on which the basic products are processed, there is an alteration in the prices fixed pursuant to Regulation No 1009/67/EEC, provision may be made for adjusting the production refunds.'

Article 2

The following shall be substituted for Article 19 of Regulation (EEC) No 2061/69:

'*Article 19*

If between:

— the date on which the application for a denaturing premium is lodged, in the case of uniformly fixed premiums, or

— the moment at which the time limit for the submission of tenders expires, in the case of premiums fixed following an invitation to tender,

and the date on which denaturing takes place, there is an alteration in the prices fixed pursuant to Regulation No 1009/67/EEC, provision may be made for adjusting the denaturing premiums.'

Article 3

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, 14 April 1971.

For the Commission

The President

Franco M. MALFATTI

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[1] OJ No 308, 18.12.1967, p. 1.
[2] OJ No L 143, 1.7.1970, p. 1.
[3] OJ No L 151, 30.6.1968, p. 35.
[4] OJ No L 263, 21.10.1969, p. 19.
[5] OJ No L 123, 6.6.1970, p. 10.