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REGULATION (EEC) No 1569/72 OF THE COUNCIL

of 20 July 1972

laying down special measures for colza and rape seed

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 136/66/EEC[1] of 22 September 1966 on the establishment of a common organization of the market in oils and fats, as last amended by Regulation (EEC) No 2727/71,[2] and in particular Article 36 thereof;

Having regard to the proposal from the Commission;

Whereas in the present monetary situation and in the absence of compensation colza and rape seed harvested in the Community cannot be marketed under normal conditions; whereas for Member States there is a risk of disorganizing the market in these seeds;

Whereas it seems justified to prevent these difficulties by providing for the application of a system of differential amounts to be levied or granted for seeds which are processed or exported; whereas these differential amounts must take account of the incidence of the rate of exchange on the prices of seeds in different Member States;

Whereas to resolve the difficulties mentioned above intervention in Germany and Benelux should also be restricted to seed harvested in each of these countries respectively;

HAS ADOPTED THIS REGULATION:

Article 1

Member States shall, under the conditions hereinafter laid down, levy or grant differential amounts for colza and rape seed harvested in the Community during the 1972/73 marketing year and processed for oil or exported.

Article 2

1. The differential amounts shall be determined taking into account the incidence on the prices of the percentage representing the difference between:

— the par value of the currency of the Member State in question which has been communicated to and recognized by the International Monetary Fund and

— the arithmetic mean of the spot rates of this currency in relation to the US dollar recorded over a period to be determined.

2. The differential amounts shall be fixed initially in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 3

If the difference referred to in Article 2 (1) departs by at least 1 point from the percentage used for the previous fixing the differential amounts shall be amended by the Commission on the basis of the new difference.

Article 4

1. The differential amounts shall be levied or granted by the Member States in which the processing of the seeds or customs export formalities take place.

2. Persons eligible for the subsidy referred to in Article 27 of Regulation No 136/66/EEC or for the export refund referred to in Article 28 of the same Regulation shall pay or receive the amounts referred to in the preceding paragraph.

[1] OJ No 172, 30.9.1966, p. 3025/66.
[2] OJ No L 282, 23.12.1971, p. 8.

Article 5

The differential amounts to be levied or granted shall be those valid on the day on which control is taken over at the oil mill within the meaning of Article 3 of Council Regulation (EEC) No 2114/71[1] of 28 September 1971 on the subsidy for oil seeds or on the day of exportation within the meaning of Article 1 of Commission Regulation No 1041/67/EEC[2] of 21 December 1967 on detailed rules for the application of export refunds on products subject to a single price system.

Article 6

1. Only colza and rape seed harvested in Germany may be presented for intervention in that country.

2. Only colza and rape seed harvested in either Belgium, Luxembourg or the Netherlands may be presented for intervention in those countries.

Article 7

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 8

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, 20 July 1972.

For the Council

The President

T. WESTERTERP

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[1] OJ No L 222, 2.10.1971, p. 2.

[2] OJ No 314, 23.12.1967, p. 9.