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REGULATION (EEC) No 2342/72 OF THE COMMISSION

of 7 November 1972

on a fifth amendment to Regulation (EEC) No 1031/71 laying down detailed rules of application for 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

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 Article 4 of Commission Regulation (EEC) No 1013/71[2] of 17 May 1971 laying down detailed rules of application for Regulation (EEC) No 974/71 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of margins of fluctuation for the currencies of certain Member States, as last amended by Regulation (EEC) No 978/72,[3] specifies that the compensatory amounts do not apply to imports effected under certain conditions under contracts which are concluded by specified dates and which can be proved by registration or official documents to have been concluded; whereas the manner in which this exceptional provision has been applied has varied considerably from one Member State to another; whereas it is extremely difficult to introduce controls to prevent abuses of this provision; whereas a considerable period has elapsed since this arrangement began to apply; whereas a date should be fixed after which recourse may no longer be had to this arrangement;

Whereas the requirements of trade and any measures adopted in the matter by the Member States should be borne in mind when the date is being fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph shall be added to Article 4 of Regulation (EEC) No 1013/71:

'3. Exemption from application of the compensatory amount shall apply only to products imported before 1 December 1972 or before any earlier date fixed by a Member State for its territory.'

Article 2

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

[1] OJ No L 106, 12.5.1971, p. 1.
[2] OJ No L 110, 18.5.1971, p. 8.
[3] OJ No L 113, 15.5.1972, p. 1.

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

Done at Brussels, 7 November 1972.

For the Commission

The President

S. L. MANSHOLT