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REGULATION (EEC) No 607/72 OF THE COUNCIL

of 23 March 1972

amending Regulation No 1009/67/EEC on the common organization of the market in sugar

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas Article 16 of Council Regulation No 1009/67/EEC[1] of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 2727/71,[2] provides for the charging of a levy on exports of sugar if the c.i.f. price is higher than the threshold price;

Whereas Article 12 of that Regulation provides that the threshold price for white sugar in the Community should be the same as the target price for the area having the largest surplus plus transport charges from that area to the most distant deficit area; whereas in this way a trade preference in respect of Community sugar for the supply of any deficit areas is ensured for as long as world market prices remain lower than Community prices;

Whereas when, because of scarcity on the world market, prices on that market are higher than Community prices the provisions of Article 16 of Regulation No 1009/67/EEC do not enable the allocation of regional surpluses for exportation to be prevented in good time so that, as the result of an abnormal rise in Community prices, supplies to consumers at reasonable prices can no longer be guaranteed; whereas consequently it is necessary to lay down appropriate provisions and to supplement the Article in question accordingly;

HAS ADOPTED THIS REGULATION:

Article 1

1. The following shall be substituted for Article 16 (1) and (2) of Regulation No 1009/67/EEC:

'1. If the c.i.f. price for white sugar or raw sugar is higher than the threshold price, a levy equal to the difference between those prices shall be charged on exports of the product in question.

Where the Community or any region thereof can no longer be supplied with sugar at prices within the limit of the threshold price, provision may be made for charging a special levy on exports of the product in question. Where the provisions of this subparagraph apply, those of the preceding subparagraph shall not apply.

Save as otherwise provided by the Council in accordance with the procedure laid down in paragraph 3, the levy or the special levy to be charged, as appropriate, shall be that applicable on the day of exportation.'

2. Under the conditions described in the first subparagraph of paragraph 1, a subsidy may be granted on imports of the product in question.'

2. The following shall be substituted for Article 16 (5) of Regulation No 1009/67/EEC:

'5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 40.

[1] OJ No 308, 18.12.1967, p. 1.
[2] OJ No L 282, 23.12.1971, p. 8.

The levies referred to in the first subparagraph of paragraph 1, together with any levies resulting from the application of paragraph 4, shall be fixed by the Commission.'

Article 2

This Regulation shall enter into force on the day of 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, 23 March 1972.

For the Council

The President

J. P. BUCHLER