REGULATION (EEC) No 133/73 OF THE COMMISSION

of 19 January 1973

derogating from Regulation (EEC) No 2637/70 as regards the period of validity of export licences for cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC (1) of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 2429/72 (2), and in particular Article 12 (2) thereof ;

Having regard to Council Regulation No 359/67/EEC (3) of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 2429/72 (2), and in particular Article 10 (2) thereof ;

Whereas the usual period of validity of the export licence for cereals, rice and products processed from cereals and from rice was laid down by Articles 21 and 22 of Commission Regulation (EEC) No 2637/70 (4) of 23 December 1970 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, as last amended by Regulation (EEC) No 1603/72 (5) ; whereas a derogation from that period was provided for in respect of maize by Commission Regulation (EEC) No 435/71 (6) of 26 February 1971 ;

Whereas in addition to the period of validity laid down in Articles 21 and 22, Article 23 of Regulation (EEC) No 2637/70 provides for a special period for certain products in connection with invitations to tender opened by importing third countries ;

Whereas the purpose of the periods of validity currently in force as regards both basic and processed products is in particular to facilitate the disposal of Community surplus production ; whereas on a firm market which is likely in the future to show a deficit such a period may nevertheless disrupt the proper functioning of the common organization of the markets in cereals and rice ;

Whereas considerable price increases for most basic cereals are currently being recorded on the world market ; whereas this is due to a fall in supply while demand remains at a high level ; whereas such demand is likely to be felt more and more on the market in processed products ;

Whereas the price increases may lead to exports of quantities which in view of the supply situation in the Community and of the Community's aims far exceed those available for normal export purposes ; whereas to prevent the internal market from being disrupted the period of validity of export licences should temporarily be reduced to a period appropriate to the situation and reflecting both the general interests of the Community and the particular characteristics of the various products in question ;

Whereas, since the resulting period is shorter than that fixed for maize by Regulation (EEC) No 435/71, that Regulation should be repealed ;

Whereas in order to know what quantities the export trade has undertaken to supply, the Commission must, for the purpose of achieving a well-organized market, have as soon as possible a complete list of export licences actually issued ;

Whereas exports in connection with invitations to tender opened by the intervention agencies are not only limited by quantity but depend also on a minimum selling price being fixed ; whereas, therefore, such exports will not upset the balance of the internal market ; whereas the normal period of validity laid down in Article 21 (1) of Regulation (EEC) No 2637/70 can thus be maintained for licences applied for under Article 5 (5) of Regulation (EEC) No 376/70 (7) of 27 February 1970 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies, as last amended by Regulation (EEC) No 2198/72 (8) ;

(1) OJ No 117, 19. 6. 1967, p. 2269/67.
(2) OJ No L 264, 23. 11. 1972, p. 1.
(3) OJ No 174, 31. 7. 1967, p. 1.
(4) OJ No L 283, 29. 12. 1970, p. 15.
(5) OJ No L 170, 28. 7. 1972, p. 6.
(6) OJ No L 48, 27. 2. 1971, p. 72.
(7) OJ No L 47, 28. 2. 1970, p. 49.
(8) OJ No L 235, 17. 10. 1972, p. 8.

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

HAS ADOPTED THIS REGULATION :

Article 1

1. By way of derogation from Articles 21 (1) and 22 (1) and (2) of Regulation (EEC) No 2637/70, an export licence for the products specified therein, applied for after this Regulation enters into force, shall be valid from its date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70 until the end of the second following month.

2. By way of derogation from Articles 21 (2) and (3) and 22 (3) of Regulation (EEC) No 2637/70, an export licence for the products specified therein, applied for after this Regulation enters into force, shall be valid from its date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70 until the end of the third following month.

3. Paragraph 1 shall not apply to export licences applied for under Article 5 (5) of Regulation (EEC) No 376/70.

Article 2

The application of Article 23 of Regulation (EEC) No 2637/70 is suspended.

Article 3

Regulation (EEC) No 435/71 is repealed.

Article 4

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, 19 January 1973.

For the Commission

The President

François-Xavier ORTOLI