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(Acts whose publication is obligatory)

REGULATION (EEC) No 1637/73 OF THE COUNCIL

of 18 June 1973

fixing for the 1973/74 marketing year the derived intervention prices, the intervention prices for raw beet sugar, the minimum prices for beet, the threshold prices, the guaranteed quantity, the maximum amount of the production levy and the special maximum quota

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty [1] concerning the Accession of new Member States to the European Economic Community and to the European Atomic Energy Community, and in particular the first subparagraph of Article 52 (3) of the Act annexed thereto;

Having regard to Council Regulation No 1009/67/EEC [2] of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1014/73 [3] and in particular Articles 3 (6), 4 (4), 9 (7), 12 (5), 26 (1), 28 and 31 (4) and (5) thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas Council Regulation (EEC) No 1345/73 [4] of 15 May 1973 fixing the sugar prices, the standard quality of beet and the coefficient for calculating the maximum quota for the 1973/74 marketing year fixed the intervention price for white sugar at 23·57 units of account per 100 kilogrammes for the Community area having the largest surplus;

Whereas Article 3 (2) of Regulation No 1009/67/EEC provides for derived intervention prices to be fixed for other areas, account being taken of the regional variations which, given a normal harvest and free movement of sugar, might be expected to occur in the price of sugar under natural conditions of price formation;

Whereas in view of the quotas fixed in the production areas in Germany, the Netherlands, Belgium, Denmark and France, a balanced or surplus situation can be anticipated; whereas, with the exception of the French overseas departments, the ex-factory prices in the areas mentioned will in the main be equal to the prices in the Community area having the largest surplus;

Whereas sugar production in Italy, with relatively high production costs, will probably not appreciably exceed the basic quantity fixed; whereas a deficit of about 400 000 metric tons to be covered by the production of the Community surplus areas should be taken into account;

Whereas, in these circumstances, the level of market prices in Italy will be determined by the offer prices of sugar from Community surplus areas; whereas the derived intervention price for Italy may be fixed at 25·28 units of account per 100 kilogrammes, account being taken on the one hand of the intervention price applicable in the north of France plus the marketing costs for deliveries to the north of Italy, and on the other hand, of the disposal costs of the Italian sugar industry;

Whereas there is a considerable surplus in the production of raw sugar in the French overseas departments; whereas the most favourable potential outlets for this sugar within the Community are in the south of France and in Italy, where the sugar, after being refined, may be sold directly; whereas, on the basis of the foreseeable market prices in the deficit areas of Italy, which will probably be 0·53 units of account per 100 kilogrammes above the derived intervention price in Italy, and taking account of the transport costs between the overseas departments and these areas, the derived intervention prices for those departments should be fixed at 23·24 units of account per 100 kilogrammes of white sugar;

Whereas Article 3 (4) of Regulation No 1009/67/EEC provides for the fixing of the intervention price for raw sugar for those departments to be derived from the intervention price for white sugar fixed for those departments, allowance being made for a uniform processing margin and a standard yield; whereas, on the basis of available information, the refining costs may be estimated at 1·88 units of account per 100

(1) OJ No L 73, 27. 3. 1972, p. 5.
(2) OJ No 308, 18. 12. 1967, p. 1.
(3) OJ No L 106, 20. 4. 1973, p. 1.
(4) OJ No L 141, 28. 5. 1973, p. 6.

kilogrammes of raw sugar, of which probably 0·60 units of account can be covered by the higher price likely to be obtained from the better quality in comparison with the price for the standard quality; whereas, moreover, pursuant to the definition of the standard quality for raw sugar laid down by Regulation (EEC) No 431/68 [1], a yield of 92 % should be used;

Whereas Article 9 (7) of Regulation No 1009/67/EEC provides for the determination of intervention prices for raw beet sugar; whereas these prices should be derived from the intervention price for white sugar, account being taken of the factors already mentioned for fixing the intervention price for raw sugar in the French overseas departments, and the forwarding costs for supplying raw sugar, estimated at a standard rate of 0·50 units of account per 100 kilogrammes;

Whereas the minimum prices for sugar beet referred to in the first indent of Article 4 (1) of Regulation No 1009/67/EEC must be determined for the areas other than that having the largest surplus on the basis of the intervention prices for white sugar applicable in those areas, account being taken of the amounts used when fixing the minimum price for beet for the area having the largest surplus, for the processing margin, the yield, the receipts from molasses and the delivery costs of the beet;

Whereas in Ireland and in the United Kingdom, the prices of white sugar, raw beet sugar, and the minimum prices for beet are currently lower than the common prices and must for the 1973/1974 marketing year be aligned in accordance with Article 52 (2) (a) of the Act of Accession; whereas, however, considering that the corresponding amendment of prices in the United Kingdom would disturb the process of its integration into the Community, it is desirable to apply, for this Member State, the derogation contained in paragraph (3) of the Article in question;

Whereas, to promote specialization in beet cultivation, and taking account of the foreseeable state of supplies in the Community, the minimum prices for beet outside the basic quota referred to in the second indent of Article 4 (1) of Regulation No 1009/67/EEC should be fixed in such a way that they no longer encourage producers with relatively high production costs, but are only of interest to the most rational undertakings operating under the most favourable conditions;

Whereas at the time of fixing the percentages referred to in Article 27 (4) and (5) of Regulation No 1009/67/EEC and the maximum amount of the production levy referred to in Article 28 of that Regulation, account should be taken, bearing in mind the aims of the quota system, on the one hand of the difference between the minimum price for beet and the minimum price for beet outside the basic quota, and on the other hand of the fixed costs of the sugar industry estimated at about 45 % of the processing margin;

Whereas, under Article 12 (2) of Regulation No 1009/67/EEC, the threshold price for white sugar should be the same as the target price for the Community area having the largest surplus plus transport costs, calculated at a flat rate, from that area to the most distant deficit area in the Community; whereas, given the state of supplies within the Community, account should be taken of the transport costs between the departments of northern France and Palermo, the main port of importation in Sicily;

Whereas the threshold price for raw sugar should be derived from the threshold price for white sugar, a standard processing margin and a standard yield being taken into account; whereas the same criteria as are used in the derivation of the intervention price for raw sugar should be applied;

Whereas the threshold price for molasses should be so fixed that the receipts from sales of molasses may reach the level of factories' receipts which are taken into account when minimum prices for beet are being fixed;

Whereas, under Article 26 of Regulation No 1009/67/EEC, the guaranteed quantity should be equal to the anticipated human consumption for the 1973/1974 sugar marketing year after deducting the sugar which may be imported into the United Kingdom under Protocol No 17 of the Act of Accession; whereas the quantity marketed for human consumption may be estimated at 9 600 000 metric tons and whereas imports from the countries and territories referred to in the Commonwealth Sugar Agreement amount to 1 675 000 metric tons;

Whereas under Article 31 (4) of Regulation No 1009/67/EEC the Council shall decide the length of each period for the period or periods subsequent to 30 June 1971 in respect of which a decision not to apply the provisions of Article 30 of this Regulation may be taken, the coefficient to be used for calculating the special maximum quota and the basic quota to which this coefficient is applied,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation shall apply for the 1973/1974 sugar marketing year.

Article 2

For the regions other than that referred to in Article 2 (3) of Regulation (EEC) No 1345/73, the derived intervention price for 100 kilogrammes of white sugar shall be:

[1] OJ No L 89, 10. 4. 1968, p. 3.

(a) 25·28 units of account for all regions of Italy;
(b) 23·24 units of account for the French overseas departments;
(c) 21·65 units of account for all regions of Ireland;
(d) 19·79 units of account for all regions of the United Kingdom;
(e) 23·57 units of account for the other regions of the Community.

Article 3

1. The intervention price for 100 kilogrammes of raw beet sugar shall be:

(a) 20·05 units of account for the Community area having the largest surplus and the regions referred to in Article 2 (e);
(b) 21·62 units of account for the regions referred to in Article 2 (a);
(c) 18·41 units of account for the regions referred to in Article 2 (c);
(d) 15·69 units of account for the regions referred to in Article 2 (d).

This intervention price shall be valid for raw sugar of standard quality, unpacked, ex-factory, loaded onto the means of transport chosen by the buyer.

2. The derived intervention price for the French overseas departments for the raw sugar referred to in Article 3 (4) of Regulation No 1009/67/EEC shall be 20·21 units of account per 100 kilogrammes.

Article 4

1. The minimum price for beet shall be, per metric ton:

(a) 20·08 units of account for the regions referred to in Article 2 (a);
(b) 16·40 units of account for the regions referred to in Article 2 (c);
(c) 14·93 units of account for the regions referred to in Article 2 (d);
(d) 17·86 units of account for the regions referred to in Article 2 (e).

2. The minimum price for beet outside the basic quota shall be, per metric ton:

(a) 10·50 units of account for the area having the largest surplus determined in Article 2 (3) of Regulation (EEC) No 1345/73 and for the regions referred to in Article 2 (c) and (e);
(b) 12·72 units of account for the regions referred to in Article 2 (a).

Article 5

The threshold price shall be:

(a) 27·60 units of account per 100 kilogrammes for white sugar;
(b) 24·21 units of account per 100 kilogrammes for raw sugar;
(c) 3·20 units of account per 100 kilogrammes for molasses.

Article 6

The guaranteed quantity referred to in Article 26 (1) of Regulation No 1009/67/EEC shall be 7 925 000 metric tons of white sugar.

Article 7

1. The percentages referred to in Article 27 (4) and (5) of Regulation No 1009/67/EEC shall be 60·00.

2. The maximum amount of the production levy referred to in Article 28 of Regulation No 1009/67/EEC shall be 9·46 units of account per 100 kilogrammes of white sugar.

Article 8

1. The decision referred to in the first indent of Article 31 (4) of Regulation No 1009/67/EEC may be taken in respect of the period from 1 July 1973 to 30 June 1975. For this period this decision shall be taken before 1 July 1973.

2. The coefficient referred to in second indent of Article 31 (4) of Regulation No 1009/67/EEC amounts to 2·30, for the period referred to in (1). This coefficient shall apply to the basic quota in force for the 1973/74 sugar marketing year.

Article 9

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 Luxembourg, 18 June 1973.

For the Council

The President

A. LAVENS