REGULATION (EEC) No 185/73 OF THE COUNCIL

of 23 January 1973

laying down general rules for the system of compensatory amounts applicable, by virtue of the various forms of added sugar, to products processed from fruits and vegetables following the Accession of new Member States to the Community

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 the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 62 (1) of the Act annexed thereto;

Having regard to the proposal from the Commission;

Whereas Articles 51 and 52 of the Act provide for the fixing, in the new Member States, of prices in accordance with specific criteria which may result in price levels differing from the common prices; whereas pursuant to Article 55 of the Act such differences in price levels are compensated by a system of compensatory amounts;

Whereas Article 94 of the Act provides that the compensatory amounts for products processed from fruit and vegetables to which Regulation (EEC) No 865/68 [2] applies shall be determined on the basis of the compensatory amounts for sugar, glucose or glucose syrup as the case may be, and in accordance with the rules applicable for calculating the levy, in respect of the compensatory amount applicable to imports, and the refund, in respect of the compensatory amount applicable to exports;

Whereas the detailed rules for levying and granting the compensatory amounts should be such as to avoid deflection of trade which might be caused by any difference in the level thereof;

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory amounts applicable, by virtue of the various forms of added sugar, to products processed from fruit and vegetables in trade between the Community as originally constituted and the new Member States, between the new Member States themselves and between those States and third countries, shall be calculated as follows:

1. The compensatory amounts on imports of the products to which a levy is applicable pursuant to Article 2 of Regulation (EEC) No 865/68 shall be ascertained by multiplying the compensatory amount for 1 kg of white sugar by the figure given for the product in question in column I of Annex I to Regulation (EEC) No 865/68; by analogy Article 2 (6) *et seq* of that Regulation shall also apply.

2. The compensatory amounts on exports of the products to which a levy is applicable pursuant to Article 3 of Regulation (EEC) No 865/68 shall be ascertained:

   (a) for raw sugar and white sugar, by multiplying the compensatory amount for 1 kg of white sugar by a figure expressing the quantity of sucrose entering into 100 kg net of the finished product,

   (b) for glucose and glucose syrup, multiplying the compensatory amount for 1 kg of glucose or glucose syrup by a figure expressing the quantity of glucose or glucose syrup entering into 100 kg of the finished product.

Article 2

1. The compensatory amounts specified in Article 1 (1) and (2) (a) shall in trade with the United Kingdom be levied on imports to and granted on exports from the Community as originally constituted, Denmark and Ireland.

2. The levies and refunds shall in trade between third countries and the United Kingdom be reduced by the compensatory amounts specified in the preceding paragraph.

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[1] OJ Special Edition, 27. 3. 1972, p. 5.
[2] OJ No L 153, 1. 7. 1968, p. 8.

Article 3

1. The compensatory amount specified in Article 1 (2) (b) shall in trade between the new Member States and between those States and the Communities as originally constituted be granted by the Community as originally constituted and Denmark on exports to Ireland and the United Kingdom.

2. The refund on exports from Ireland and the United Kingdom to third countries shall be reduced by the compensatory amount specified above.

Article 4

The applicable compensatory amount shall be that in force on the day of importation or exportation.

Article 5

Detailed rules for the granting, levying and recovery of compensatory amounts shall be such as to avoid, in particular, deflection of trade and shall be adopted in accordance with the procedure laid down in Article 15 of Regulation (EEC) No 865/68.

Detailed rules for the application of this Regulation shall be adopted by the same procedure.

Article 6

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

It shall apply from 1 February 1973.

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

Done at Brussels, 23 January 1973.

For the Council

The President

L. TINDEMANS