# REGULATION (EEC) No 2041/73 OF THE COMMISSION

## of 27 July 1973

## making transitional provisions consequential upon the application on 4 June 1973 of the new system of differential amounts for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1569/72 [1] of 20 July 1972 laying down special measures for colza and rape seed, as last amended by Regulation (EEC) No 1356/73 [2], and in particular Article 7 thereof;

Whereas one of the effects of the introduction on 4 June 1973 of the new system of differential amounts for colza and rape seed is that the differential amount in a Member State no longer reflects the relationship of its currency to the US dollar; whereas the fluctuation of the dollar and of all other currencies in relation to the currencies of the Member States taking part in the joint float is taken into consideration in calculating the subsidy and the refund;

Whereas an operator who had fixed a subsidy or refund in advance before the entry into force of the new system of differential amounts may suffer loss as a result of dollar parity changes at the time of transition from one system to the other;

Whereas, in view of the entry into force of the new system on 4 June 1973, it seems fair to provide that, for all operations in respect of which an application for advance fixing of the refund or subsidy was made before that date, the differential amount to be applied should be that in force on 3 June 1973; whereas, however, this measure should be applied only on request;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Upon the application of an interested party, the differential amount for colza and rape seeds in force on 3 June 1973 shall, in lieu of the amount in force either on the date on which part ID of the certificate specified in Article 4 of Regulation (EEC) No 2114/71 is applied for or on the date of exportation, apply to all transactions effected after 3 June 1973 and in respect of which:

— part AP of the said certificate was applied for,

— the export refund was fixed in advance before 4 June 1973.

*Article 2*

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

2. It shall apply from 4 June 1973.

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

Done at Brussels, 27 July 1973.

*For the Commission*

*The President*

François-Xavier ORTOLI

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[1] OJ No L 167, 25. 7. 1972, p. 9.
[2] OJ No L 141, 28. 5. 1973, p. 28.