REGULATION (EEC) No 238/73 OF THE COUNCIL

of 31 January 1973

amending Regulation (EEC) No 795/72 fixing for the 1972/73 marketing year the derived intervention prices for white sugar, the intervention prices for raw beet sugar and the minimum prices for beet in respect of the new Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1009/67/EEC [1] of 18 December 1967 on the common organization of the market in sugar as last amended by the Act [2] concerning the Conditions of Accession and the Adjustments to the Treaties, and in particular Articles 3 (6), 4 (4), 9 (7) and 28 thereof;

Having regard to the proposal from the Commission;

Whereas Council Regulation (EEC) No 794/72 [3] of 17 April 1972 fixing for the 1972/73 marketing year, the sugar prices, the standard quality of beet and the coefficient for calculating the maximum quota fixed the intervention price for white sugar at 23·34 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 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 for the prices of white sugar, account being taken of a processing margin, of a flat rate yield and costs of conveying supplies;

Whereas Article 4 (1) of that Regulation provides for the determination of minimum prices for beet within and without the basic quota for every sugar beet production area in respect of which an intervention price has been fixed; whereas as concerns the determination of a minimum price for beet within the basic quota, account should be taken of the same factors which contributed towards the calculation of the minimum prices fixed for the area having the highest surplus and as concerns beet without the basic quota no encouragement should be offered to producers with relatively high production costs;

Whereas Council Regulation (EEC) No 795/72 [4] of 17 April 1972 fixed for the 1972/73 marketing year the derived intervention prices for white sugar, the intervention prices for raw beet sugar and the minimum prices for beet in respect of the new Member States applicable in the Community as originally constituted; whereas as a result of the enlargement of the Community that Regulation should be supplemented by the determination of the aforesaid prices in respect of the new Member States;

Whereas Article 51 (2) of the Act provides for the fact that before the first move towards price alignment, the prices to be applied in each new Member State shall be fixed in accordance with the rules provided for in the common organization of the market in the sector in question at a level which allows producers in that sector to obtain returns equivalent to those obtained under the previous national system; whereas paragraph 3 of the same Article provides, however, that in respect of the United Kingdom in particular those prices shall be fixed at a level such that the application of the Community rules results in a level of market prices comparable with the level recorded in the Member State concerned during a representative period preceding the implementation of the Community rules; whereas, in respect of sugar, pursuant to Articles 51 (1) and 81 of the Act, these provisions shall apply to the derived intervention price for white sugar, the intervention price for raw sugar and the minimum price for beet;

HAS ADOPTED THIS REGULATION:

Article 1

The text of Article 2 of Regulation (EEC) No 795/72 shall be replaced by the following:

(1) OJ No 308, 18. 12. 1967, p. 1.
(2) OJ No L 73, 27. 3. 1972, p. 14.
(3) OJ No L 94, 21. 4. 1972, p. 2.
(4) OJ No L 94, 21, 4. 1972, p. 4.

'For the regions other than that referred to in Article 2 (3) of Regulation (EEC) No 794/72, the derived intervention price for 100 kg of white sugar shall be:

(a) 24·84 units of account for all regions of Italy;

(b) 23·01 units of account for the French overseas departments;

(c) 23·34 units of account for the other regions of the Community as originally constituted;

(d) 23·34 units of account for all regions of Denmark;

(e) 21·06 units of account for all regions of Ireland;

(f) 18·96 units of account for all regions of the United Kingdom.'

Article 2

The text of Article 3 of Regulation (EEC) No 795/72 shall be replaced by the following:

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

(a) 19·85 units of account for the Community area having the largest surplus and the regions referred to in Article 2 (c) and (d);

(b) 21·23 units of account for the regions referred to in Article 2 (a);

(c) 17·90 units of account for the regions referred to in Article 2 (e);

(d) 14·79 units of account for the regions referred to in Article 2 (f).

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 raw sugar referred to in Article 3 (4) of Regulation No 1009/67/EEC shall be 20·01 units of account per 100 kg.'

Article 3

The text of Article 4 of Regulation (EEC) No 795/72 shall be replaced by the following:

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

(a) 19·63 units of account for the regions referred to in Article 2 (a);

(b) 17·68 units of account for the regions referred to in Article 2 (c) and (d);

(c) 15·95 units of account for the regions referred to in Article 2 (e);

(d) 14·29 units of account for the regions referred to in Article 2 (f).

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

(a) 10·40 units of account for the area having the largest surplus determined in Article 2 (3) of Regulation (EEC) No 794/72 and for the areas referred to in Article 2 (c);

(b) 12·35 units of account for the regions referred to in Article 2 (a).'

Article 4

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, 31 January 1973.

For the Council

The President

A. LAVENS