REGULATION (EEC) No 363/73 OF THE COMMISSION

of 31 January 1973

fixing normal stocks of sugar for the new Member States on 1 February 1973

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation 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], annexed to the Treaty [3] on 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 Articles 33a (4) and 38 thereof;

Whereas Article 33a (1) of Regulation No 1009/67/EEC lays down that the new Member States shall make an inventory of the stocks of sugar in free circulation in their territory at 0.00 hours on 1 February 1973; whereas it is desirable to provide for the conversion of the different types of sugar in accordance with the rules laid down in Commission Regulation (EEC) No 142/69 [4] of 25 January 1969, laying down certain detailed rules for the application of the quota system for sugar, as last amended by Regulation (EEC) No 144/73 [5];

Whereas Article 33a (2) of Regulation No 1009/67/EEC lays down that a quantity of sugar which may be regarded as representing a normal stock at 0.00 hours on 1 February 1973 shall be fixed for each new Member State; whereas this quantity shall be fixed taking into consideration a normal working stock, the anticipated consumption in the Member State concerned until the new beet harvest and the supply situation based on national production and imports or exports of that Member State; whereas, taking account of these criteria, the normal stock referred to above is fixed at 941 583 tons for the United Kingdom, 245 721 tons for Denmark and 127 052 tons for Ireland;

Whereas Article 33a (3) of Regulation No 1009/67/EEC provides for the necessary measures to be taken to obviate such financial burdens as may result for the Community from the marketing of a quantity equal to the difference between the recorded stock and the fixed normal stock; whereas to that end these quantities should be exported without Community intervention and before an appointed date;

Whereas notification by the new Member States on the level of their recorded stocks and where appropriate on the quantity exported without Community intervention is necessary for the proper management of the market in sugar;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of the inventory referred to in Article 33a (1) of Regulation No 1009/67/EEC, the quantities of white sugar, of raw sugar, of invert sugar and of syrups shall be expressed in terms of white sugar according to the provisions of Article 1 (3) of Regulation (EEC) No 142/69.

Article 2

The normal stock on 1 February 1973 at 0.00 hours referred to in Article 33a (2) of Regulation No 1009/67/EEC shall be:

(a) for the United Kingdom 941 583 metric tons of white sugar,

(b) for Denmark 245 721 metric tons of white sugar,

(c) for Ireland 127 052 metric tons of white sugar.

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[1] OJ No 308, 18. 12. 1967, p. 1.
[2] OJ No L 73, 27. 3. 1972, p. 14.
[3] OJ No L 73, 27. 3. 1972, p. 5.
[4] OJ No L 20, 27. 1. 1969, p. 1.
[5] OJ No L 18, 23. 1. 1973, p. 13.

Article 3

1. If the quantity of the stocks of sugar established as a result of the inventory referred to in Article 33a (1) of Regulation No 1009/67/EEC exceeds the quantity fixed for this Member State in Article 2, a quantity equal to the difference between those two quantities shall be exported before 1 July 1973 to third countries as undenatured sugar in the natural state or in the form of processed products without any refund accorded in the framework of a common organization of the markets.

2. For the quantity to be exported referred to in Paragraph 1, no export charges shall be applicable.

3. The proof that the sugar has been exported according to the provisions of Paragraph 1 shall be constituted:

(a) for products for which export licences are provided by the production of

(aa) these licences containing, in Section 12, the following endorsement:

— 'for export in pursuance af Article 3 of Regulation (EEC) No .../73' for export of sugar from the United Kingdom or from Ireland, or

— 'til eksport i medfør af artikel 3 i forordning (EØF) nr .../73', for export of sugar from Denmark; and

(bb) the documents referred to in Article 15 of Regulation (EEC) No 1373/70 [1] for the release of the deposit;

(b) for products for which export licences are not provided by the production of a proof which is comparable with the one referred to under (a) and approved by the Member State concerned.

Article 4

1. The new Member States shall communicate to the Commission before 1 April 1973 the level of their stocks established according to the provisions of Article 33a (1) of Regulation No 1009/67/EEC.

2. The new Member States in which the established stock exceeds the quantity fixed for it in Article 2, shall communicate to the Commission before 1 August 1973 the quantity exported according to the provisions of Article 3.

Article 5

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

This Regulation shall apply from 1 February 1973.

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

Done at Brussels, 31 January 1973.

For the Commission

The President

François-Xavier ORTOLI

[1] OJ No L 158, 20. 7. 1970, p. 1.