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(Acts whose publication is obligatory)

REGULATION (EEC) No 449/73 OF THE COMMISSION

of 6 February 1973

amending Regulation (EEC) No 1013/71 as regards the calculation of the compensatory amounts applicable in consequence of monetary developments to trade in agricultural products with the new Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 974/71 [1] of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States, as amended by Regulation (EEC) No 2146/72 [2], and in particular Article 6 thereof;

Whereas Commission Regulation (EEC) No 1013/71 [3] of 17 May 1971, as last amended by Regulation (EEC) No 2342/72 [4], laid down detailed rules to calculating the compensatory amounts introduced pursuant to Regulation (EEC) No 974/71 hereinafter called 'monetary compensatory amounts'; whereas those rules do cover trade in agricultural products with the new Member States, where price levels are generally lower than these of the common prices in the original Member States; whereas this difference is made up by the compensatory amounts introduced into Article 55 of the Act [5] annexed to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community [6], signed at Brussels on 22 January 1972, or, where the amount of the levy is less than such compensatory amount, by the amounts applicable by way of the said compensatory amounts; whereas account must be taken of this situation by reducing the monetary compensatory amount by the amount detailed by applying to the compensatory amount as provided for by the Act the percentage used for calculating the said monetary compensatory amount;

Whereas, however, compensatory amounts as provided for by the Act, and in particular the amounts applicable by way of such compensatory amounts, are subject to frequent variation;

Whereas, in order to avoid too rapid changes in the monetary compensatory amounts, which are in any case of a fixed nature, it is necessary to provide that the Commission should adjust the latter amount only in cases where such adjustment would be of a certain economic importance;

Whereas the measures provided for in this Regulation are in accordance with the Opinions of the Management Committees for Fruit and Vegetables, for Wine, for Oils and Fats, for Cereals, for Pigmeat, for Poultrymeat and Eggs, for Sugar, for Milk and Milk Products, for Beef and Veal, for Products processed from Fruit and Vegetables, for Tobacco, for Flax and Hemp and for Fishery Products;

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 February 1973, the following Article is added to Regulation (EEC) No 1013/71:

'*Article 2a*

1. In the case of trade with the new Member States the compensatory amount shall be equal to that calculated in accordance with the provisions

(1) OJ No L 106, 12. 5. 1971, p. 1.
(2) OJ No L 291, 28. 12. 1972, p. 148.
(3) OJ No L 110, 18. 5. 1971, p. 8.
(4) OJ No L 252, 8. 11. 1972, p. 16.
(5) OJ No L 73, 21. 3. 1972, p. 14.
(6) OJ No L 73, 21. 3. 1972, p. 5.

of Article 2 (1) and (2) of Regulation (EEC) No 974/71, less an amount obtained by multiplying by the percentage specified in the said Article 2 (1) either:

— the compensatory amount as provided for in Article 55 of the Act, or, as the case may be, the amount applied by the Community as originally constituted, by way of such compensatory amounts, with the new Member State concerned.

2. In the event of any variation in the compensatory amounts as provided for in Article 55 of the Act, as in the amounts applicable by way of such compensatory amounts, the Commission shall adjust the compensatory amounts as provided for in Regulation (EEC) No 974/71 to take account of this variation; however the Commission shall only make such adjustment where the difference between the new and the old compensatory amount as calculated in accordance with paragraph 1 is significant in relation to the average value of the product concerned.

The Commission shall take into account for this purpose the effects of the adjustment on trade in the products concerned.'

Article 2

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, 6 February 1973.

For the Commission

The President

François-Xavier ORTOLI