REGULATION (EEC) No 475/73 OF THE COMMISSION

of 31 January 1973

concerning the detailed arrangements for the import of sugar under the Commonwealth Sugar Agreement

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 242/73 [1] of 31 January 1973, laying down general rules for the implementation of the arrangements for importing sugar into the United Kingdom within the terms of the Commonwealth Sugar Agreement, and in particular Article 9 thereof;

Whereas it is necessary to lay down certain detailed provisions concerning import certificates and concerning the calculation of the yield of the sugar imported pursuant to the provisions set out in Protocol No 17 of the Act [2] annexed to the Treaty [3] concerning the Accession of the new Member States to the European Economic Community and the European Atomic Energy Community; whereas in addition it is necessary to determine the detailed provisions for the calculation of the resale price and also for the method of adjusting the tax or the subsidy provided for in Regulation (EEC) No 242/73;

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

The following Article 32a shall be inserted into Commission Regulation (EEC) No 2637/70 [4] of 23 December 1970 relating to particular arrangements for applying the system of import, export and prefixation certificates for agricultural products, as last amended by Regulation (EEC) No 128/73 [5].

'*Article 32 a*

In the case of sugar for import into the United Kingdom under the provisions of Protocol 17 of the Act, the application and the certificate shall include the following indication under item 12:

'C.S.A. — N.P.Q.'.'

Article 2

The payment for the costs of transport and insurance provided for in Article 5 (2) of Regulation (EEC) No 242/73 may be effected by offsetting it against the price to be paid for the sugar concerned.

Article 3

The costs of transport and insurance referred to in Article 5 (2) of Regulation (EEC) No 242/73 shall be established by the competent authority of the United Kingdom on the basis of the most favourable rates of transport and insurance for the markets concerned.

Article 4

The yield of the sugar imported shall be calculated according to the provisions set out in Article 1 (3) of Regulation (EEC) No 431/68 [6] of the Council of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar.

Article 5

The world market price referred to in Article 7 (1) of Regulation (EEC) No 242/73 shall, where necessary, be adjusted in accordance with the provisions of Article 4 (3) of that Regulation.

Article 6

The world market price referred to in Article 4 (1) and Article 7 (1) of Regulation (EEC) No 242/73 shall be equal to the spot price on the London Sugar. Terminal (London Daily Price: LDP).

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(1) OJ No L 29, 1. 2. 1973, p. 23.
(2) OJ No L 73, 27. 3. 1972, p. 14.
(3) OJ No L 73, 27. 3. 1972, p. 5.
(4) OJ No L 283, 29. 12. 1970, p. 15.
(5) OJ No L 17, 20. 1. 1973, p. 16.
(6) OJ No L 89, 10. 4. 1968, p. 3.

Article 7

1. From 1 March 1973 and from the moment when the difference referred to in Article 7 (2) of Regulation (EEC) No 242/73 exceeds 0·05 unit of account per 100 kilogrammes, the competent authority may adjust, in accordance with the provisions of that paragraph, the tax or the subsidy during a subsequent period.

When that difference exceeds 0·15 unit of account the competent authority shall adjust the tax or the subsidy during a subsequent period.

2. The adjustment may not be greater than 0·40 unit of account per 100 kilogrammes nor less than 0·05 unit of account per 100 kilogrammes.

3. Notwithstanding the provisions of paragraphs 1 and 2, the adjustment of the tax or the subsidy shall be such that the difference referred to in Article 7 (2) of Regulation (EEC) No 242/73 is equal to zero at the end of the period for imports provided in Protocol No 17 of the Act.

Article 8

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, 31 January 1973.

For the Commission

The President

François-Xavier ORTOLI