REGULATION (EEC) No 689/73 OF THE COMMISSION

of 9 March 1973

laying down certain detailed rules necessary for the application of the subsidy provided for the refining of raw sugar produced in the French overseas departments

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 Regulation (EEC) No 174/73 [2], and in particular Articles 9 (8) and 38 thereof ;

Whereas, in Article 2 of Council Regulation (EEC) No 239/73 [3] of 31 January 1973 on the marketing price for sugar imported into the United Kingdom under the terms of the Commonwealth Sugar Agreement and on measures to assist the marketing of sugar produced in the French overseas departments, a subsidy is provided for raw sugar produced in the French overseas departments and refined in the Community as originally constituted ; whereas certain provisions should be made to regulate the procedure for granting such subsidy ; whereas it must be ensured that, in trade in such sugar, competition is not distorted by the granting of other aids, even where these take the form of an exemption in whole or in part from a charge ;

Whereas the amounts specified in Article 3 of Regulation (EEC) No 239/73 are for 100 kilogrammes of white sugar ; whereas for administrative purposes connected with the granting of the subsidy those amounts should be converted into amounts for 100 kilogrammes of raw sugar and provision should be made for the necessary adjustments where the yield differ from that of the standard quality ;

Whereas provision should be made for regular commmunication which would help to ascertain how much of the sugar involved is being refined ;

Whereas the Management Committee for Sugar has not delivered an opinion within the time limit set by its Chairman ;

HAS ADOPTED THIS REGULATION :

Article 1

1. The amounts of subsidy specified in Article 3 of Regulation (EEC) No 239/73, converted into amounts for 100 kilogrammes of standard quality raw sugar, are :

(a) 0·86 units of account for raw sugar refined between 1 February 1973 and 30 June 1973, inclusive ;

(b) 0·63 units of account for raw sugar refined during the 1973/74 marketing year ;

(c) 0·40 units of account for raw sugar refined between 1 July 1974 and 28 February 1975 inclusive.

2. For raw sugar of a quality other than the standard quality the amounts specified in paragraph 1 shall be adjusted by a conversion factor. This conversion factor shall be equal to the yield of such raw sugar divided by 92. The yield shall be calculated in accordance with Article 1 of Council Regulation (EEC) No 431/68 [4] 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 2

The subsidy provied for in Article 2 of Regulation (EEC) No 239/73 shall be granted to any refiner who processes raw sugar into white sugar in one of the Member States of the Community as originally constituted. The subsidy shall be granted, on application from the refiner to be submitted before the sugar is refined, by the Member State in whose territory the raw sugar is processed. The applicant shall prove that the raw sugar in question was produced in the French overseas departments. The concerned Member State takes this sugar under customs control, or under an administrative inspection offering equivalent guarantees.

Article 3

All other aids concerning the refining of the sugar specified in Article 2 of Regulation (EEC) No

[1] OJ No 308, 18. 12. 1967, p. 1.
[2] OJ No L 25, 30. 1. 1973, p. 1.
[3] OJ No L 29, 1. 2. 1973, p. 14.
[4] OJ No L 89, 10. 4. 1968, p. 3.

239/73, even in the form of exemption in whole or in part from any charge, is prohibited.

Article 4

Each of the Member States specified in Article 2 shall inform the Commission for each month within the next two months of the quantities on which the subsidy specified in Article 1 has been granted ; for the purposes of such communications the quantities shall be converted into standard quality raw sugar.

Article 5

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.

Dane at Brussels, 9 March 1973.

For the Commission

The President

François-Xavier ORTOLI