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(Acts whose publication is obligatory)

REGULATION (EEC) No 749/73 OF THE COUNCIL
of 19 March 1973
on production subsidies which the United Kingdom is authorized to retain in respect of certain agricultural products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to the Treaty [1] concerning the Accession of new Member States to the European Economic Community and to the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 54 (4) of the Act annexed thereto, hereinafter called 'the Act' ;

Having regard to the proposal from the Commission ;

Having regard to the Opinion of the European Parliament ;

Whereas Article 54 of the Act provides that during the transition period the United Kingdom is authorized to retain production subsidies for so long as there is a difference in this Member State between prices obtained under the national system of guaranteed prices and market prices resulting from the application of the arrangements of the common agricultural policy and the provisions of Title II of the Act ; whereas these subsidies may not have the effect of increasing the returns of producers above the level which would have resulted from the application to these returns of the rules for the alignment of prices ;

Whereas the implementation of those provisions requires that the different features of the system, and in particular the prices obtained, the returns, and the level which the returns should ultimately attain, should be defined ; whereas that level must be fixed in such a way as to ensure that the guaranteed prices are comparable with Community prices ;

Whereas in respect of certain products it is essential, in order to avoid distortion in competition, to lay down special measures having regard to the system of guaranteed prices for those products ;

Whereas in respect of certain products the guaranteed price will reach the common price in the more or less near future ; whereas in that case, the conditions in which the system of guaranteed prices for these products will be discontinued before the expiry of the transitional period should be laid down ;

HAS ADOPTED THIS REGULATION :

Article 1

This Regulation lays down the rules for the implementation of Article 54 of the Act. It shall apply to wheat, barley, oats, rye, sugar beet, pig carcases, beef and veal, eggs and liquid cows' milk for consumption.

Article 2

1. As regards the products listed in Article 1 and without prejudice to Article 4, the prices obtained under the system of guaranteed prices referred to in Article 54 (1) of the Act are the guaranteed prices fixed for the marketing year in question within the framework of the system laid down in the Agriculture Acts, 1947/1957 of the United Kingdom.

2. The production subsidies referred to in Article 54 of the Act are those granted under the system of guaranteed prices.

Article 3

1. As regards the products referred to in Article 1, with the exception of milk, the returns referred to in Article 54 (3) of the Act are those which on the date of entry into force of this Regulation result from the application of the system of guaranteed prices.

2. In the application of Article 54 (3) of the Act, the alignment of the prices obtained under the

[1] OJ No L 73, 27. 3. 1972, p. 5.

system of guaranteed prices defined in Article 2 of this Regulation shall be established with reference to :

(a) in the case of wheat and barley, the common intervention price valid at Duisburg effective in January of each year, less an amount to be determined, account being taken both of regional differentiation of intervention prices in the United Kingdom and of the difference between the wholesale and the farm gate price (hereinafter referred to as 'adjusted intervention price'), this amount being fixed at 6 units of account per metric ton for the remainder of the 1972/73 marketing year and for the 1973/74 marketing year ;

(b) in the case of oats and rye, the adjusted intervention price for barley referred to in (a) multiplied by a coefficient calculated on the basis of the relationship between the threshold price for oats and rye respectively and the threshold price for barley obtaining for the marketing year in question ;

(c) in the case of pig carcases, the common basic price ;

(d) in the case of beef and veal, the guide price for adult bovine animals increased by 3·41 units of account per 100 kg liveweight ;

(e) in the case of sugar beet, the minimum price of beet.

Article 4

1. Article 54 of the Act shall apply to production subsidies provided for within the framework of the system of guaranteed prices for milk within a standard quantity.

2. The guaranteed price of milk applicable to the standard quantity may be increased to the maximum, in keeping with the decrease, arising out of the alignment of prices, by an amount equal to the difference between the support level of milk resulting from the intervention prices effective in the United Kingdom and that resulting from the intervention prices effective in the Community.

3. When, in a given milk year, the average price received by United Kingdom producers equals or exceeds the market price resulting, in the milk year in question, from the application of the mechanisms of the common organization of the market in milk products, the system of guaranteed prices shall be revoked with effect from the following milk year.

Article 5

The guaranteed price for eggs shall be fixed in such a way as to avoid disrupting the proper functioning of the common agricultural policy, and in particular the common organization of the market in eggs.

Article 6

The methods used, under the systems of guaranteed prices, to ascertain or calculate the average prices obtained by producers on markets shall not be altered so as to bring the calculated prices down to a level lower than that which would result from the application of the methods used before 1 February 1973.

Article 7

1. The system of guaranteed prices shall be discontinued as soon as possible and, in any case as soon as :

(a) in the case of wheat and barley, the adjusted intervention price effective in the United Kingdom ;

(b) in the case of oats and rye, the adjusted intervention price for barley effective in the United Kingdom, multiplied by the coefficient referred to in Article 3 (2) (b) ;

(c) in the case of pig carcasses, the common basic price, less the compensatory amount ;

(d) in the case of beef and veal, the guide price for adult bovine animals effective in the United Kingdom, increased by 3·41 units of account per 100 kg liveweight,

is equal to or exceeds the guaranteed price applicable to these products.

2. The system of guaranteed prices may not be applied after :

— 30 June 1974 in the case of sugar beet ;

— 31 March 1974 in the case of eggs.

Article 8

Each year the United Kingdom shall notify the Commission in good time of the guaranteed prices which it proposes to fix.

Article 9

Detailed rules of application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Council Regulation No 120/

67/EEC (1) of 13 June 1967 on the common organization of the market in cereals as last amended by the Act, or in the corresponding Articles of the other Regulations on the common organization of agricultural markets, whichever is appropriate.

Article 10

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

It shall apply until 31 December 1977.

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

Done at Brussels, 19 March 1973.

For the Council

The President

A. LAVENS

(1) OJ No 117, 19. 6. 1967, p. 2269/67.