REGULATION (EEC) No 885/73 OF THE COUNCIL

of 31 March 1973

on the non-application of the first subparagraph of Article 4a (2) of Regulation (EEC) No 974/71 to sugar

THE COUNCIL 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 last amended by Regulation (EEC) No 509/73 [2], and in particular Article 4a (2), second subparagraph thereof;

Having regard to the proposal from the Commission;

Whereas Article 4a (2) first subparagraph of Regulation (EEC) No 974/71 limits the monetary compensatory amounts to the level of charges on imports from third countries;

Whereas pursuant to Article 2 of Council Regulation (EEC) No 223/73 [3] of 31 January 1973 laying down general rules to ensure the proper functioning of the common organization of the market in sugar following the Accession of the new Member States Article 55 (6) of the Act annexed to the Treaty [4] concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community shall not apply to sugar;

whereas monetary compensatory amounts are not applied to sugar imported pursuant to Protocol No 17 of the Act of Accession;

Whereas, in order to avoid distortion of competition for sugar imported into the United Kingdom from the Commonwealth on the one hand and on the other hand from the other Member States, it is necessary not to apply Article 4a (2) first subparagraph of Regulation (EEC) No 974/71 to sugar;

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 4a (2) of Regulation (EEC) No 974/71 shall not apply to sugar nor to the sugar content of products with a sugar content covered by Council Regulation (EEC) No 2682/72 [5] of 12 December 1972 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty and the criteria for fixing the amount of such refunds.

Article 2

This Regulation shall enter into force on the day following 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, 31 March 1973.

For the Council

The President

A. LAVENS

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(1) OJ No L 106, 12. 5. 1971, p. 1.
(2) OJ No L 50, 23. 2. 1973, p. 1.
(3) OJ No L 73, 27. 3. 1972, p. 5.
(4) OJ No L 27, 1. 2. 1973, p. 6.
(5) OJ No L 289, 27. 12. 1972, p. 13.