REGULATION (EEC) No 1223/74 OF THE COMMISSION

of 15 May 1974

derogating from Regulation (EEC) No 2637/70 as regards the period of validity of export licences for cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC [1] of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1125/74 [2], and in particular Article 12 (2) thereof;

Having regard to Council Regulation No 359/67/EEC [3] of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 1129/74 [4], and in particular Article 10 (2) thereof;

Whereas under Article 1 (1) of Commission Regulation (EEC) No 133/73 [5] of 19 January 1973, derogating from Regulation (EEC) No 2637/70 as regards the period of validity of export licences for cereals and rice, as last amended by Regulation (EEC) No 3451/73 [6], the period of validity of these licences amounts to 30 days for the basic cereals, rice and broken rice; whereas for cereal based processed products, except malt and maize flour, groats and meal, the period of validity of the licences has been fixed, according to paragraph 2 of the abovementioned Article 1, as the month of issue plus three months;

Whereas when the stated period for the various products was fixed, the factors which were taken into account above all were on the one hand the considerable increase in world market prices and on the other hand the supply situation on the Community market;

Whereas for certain categories of cereals and rice, a tendency towards a more stable situation has recently emerged on the world market; whereas, moreover, in the Community there are available for export more significant quantities of these products than were originally foreseen; whereas, in order to allow traders to obtain contracts for these quantities before the arrival of the new crop and to facilitate their export, a period of validity corresponding to these objectives should be fixed for export licences;

Whereas Commission Regulation (EEC) No 603/74 [7] of 15 March 1974 on an invitation to tender for the levy for export of common wheat to certain third countries and Commission Regulation (EEC) No 604/74 [8] of 15 March 1974 on an invitation to tender for the levy for export of common wheat to third countries, provided for a special period of validity for licences issued under these tenders; whereas a period of validity for export licences fixed at 90 days is more favourable than the special period of validity; whereas consequently these provisions in the abovementioned Regulations should be repealed; whereas for the same reasons the special period of validity fixed in Regulation (EEC) No 813/74 [9], (EEC) No 848/74 [10], (EEC) No 888/74 [11] and (EEC) No 994/74 [12] for tenders for the export levy for certain categories of rice should also be repealed;

Whereas the period of validity of export licences issued under the tenders for cereals held by intervention agencies has been maintained as fixed in Article 21 (1) of Commission Regulation (EEC) No 2637/70 [13] of 23 December 1970 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, as last amended by Regulation (EEC) No 932/74 [14]; whereas with the adoption of a 90-day period of validity for licences for the basic cereals, the maintenance of a longer period of validity for the export of products from intervention stocks is no longer justified;

Whereas Regulation (EEC) No 133/73 has been amended on several occasions; whereas in the interests of clarity that Regulation should be repealed and replaced by another resuming all the provisions currently applicable as regards the validity of export licences in derogation from the provisions of Regulation (EEC) No 2637/70;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Cereals,

(1) OJ No 117, 19. 6. 1967, p. 2269/67.
(2) OJ No L 128, 10. 5. 1974, p. 12.
(3) OJ No 174, 31. 7. 1967, p. 1.
(4) OJ No L 128, 10. 5. 1974, p. 20.
(5) OJ No L 17, 20. 1. 1973, p. 22.
(6) OJ No L 353, 22. 12. 1973, p. 27.
(7) OJ No L 73, 16. 3. 1974, p. 16.
(8) OJ No L 73, 16. 3. 1974, p. 19.
(9) OJ No L 96, 6. 4. 1974, p. 11.
(10) OJ No L 100, 10. 4. 1974, p. 12.
(11) OJ No L 104, 17. 4. 1974, p. 13.
(12) OJ No L 113, 26. 4. 1974, p. 37.
(13) OJ No L 283, 29. 12. 1970, p. 15.
(14) OJ No L 107, 24. 4. 1974, p. 12.

HAS ADOPTED THIS REGULATION :

Article 1

1. By way of derogation from Articles 21 (1) and 22 (1) of Regulation (EEC) No 2637/70, export licences for products referred to under these provisions shall be valid for 90 days following their date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70.

2. By way of derogation from Article 21 (2) of Regulation (EEC) No 2637/70, export licences for products referred to under this provision shall be valid from the date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70 until the end of the fourth following month.

3. By way of derogation from Article 21 (3) of Regulation (EEC) No 2637/70, export licences for products referred to under this provision shall be valid from the date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70 until the end of the third following month.

4. By way of derogation from Article 22 (2) of Regulation (EEC) No 2637/70, export licences for products referred to under this provision shall be valid for 30 days following their date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70.

Article 2

The application of Article 23 of Regulation (EEC) No 2637/70 is suspended.

Article 3

Article 6 of Regulations (EEC) No 603/74, (EEC) No 813/74 and (EEC) No 848/74, Article 4 of Regulation (EEC) No 604/74 as well as Articles 3 and 5 of Regulations (EEC) No 888/74 and (EEC) No 994/74 are repealed. However, they shall remain applicable for export licences issued following a tender lodged before the entry into force of this Regulation.

Article 4

Regulation (EEC) No 133/73 is repealed.

Article 5

This Regulation shall enter into force on 17 May 1974.

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

Done at Brussels, 15 May 1974.

For the Commission

The President

François-Xavier ORTOLI