REGULATION (EEC) No 1602/74 OF THE COUNCIL

of 25 June 1974

amending Regulation No 1009/67/EEC on the common organization of the market in sugar

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Opinion of the Economic and Social Committee;

Whereas, in view of the Community's sugar supply situation, the maximum quota, fixed at 135% of the basic quota since the 1968/69 sugar marketing year, has been increased to 145% of the basic quota for the 1974/75 sugar marketing year; whereas it is therefore justified to provide for a maximum quota applicable to the United Kingdom of 110% of the basic quota;

Whereas Article 16 of 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 1928/73 [2], does not apply to sugar produced in excess of the maximum quota; whereas, moreover, shortages and high prices persist on the world market and Community supplies are at risk because of uncertainty about the quantities to be imported in the future under Protocol No 22 annexed to the Act of Accession [3]; whereas, in view of the above situation, undertakings to export the said sugar long before it has been produced should be avoided; whereas the export levy should therefore also be applicable to sugar produced in excess of the maximum quota; whereas there should nevertheless be the possibility of not applying this levy as soon as the Community's supply situation can be adequately ascertained;

Whereas, for the 1974/75 sugar marketing year, the guaranteed quantity should be fixed only after establishment of the possible future arrangements for sugar imports into the Community from certain developing countries as from 1 January 1975;

Whereas Italy has been authorized to grant temporary aids; whereas an increase in the maximum aid granted per metric ton of beet from 1·80 to 4·00 units of account is justified by a new assessment of the conditions of production, in particular the temporary competitive situation in relation to maize production,

HAS ADOPTED THIS REGULATION:

Article 1

The third subparagraph of Article 24 (2) of Regulation No 1009/67/EEC shall be replaced by the following:

'However, the coefficient to be applied to the United Kingdom for determining the maximum quota shall be:

— 1·00 for the period up to the end of the 1973/74 sugar marketing year, and

— 1·10 for the 1974/75 sugar marketing year.'

Article 2

Article 25 (2) of Regulation No 1009/67/EEC shall be replaced by the following:

'Articles 8, 9, 16 and 17 shall not apply to the quantity referred to in paragraph 1 which is not carried forward to the following sugar marketing year pursuant to Article 32. However, as an exception, it may be decided that Article 16 shall be applicable in so far as it is necessary to ensure the Community's sugar supply.

In this event, it will be recorded at the same time that the entire quantity of sugar in question may finally be disposed of on the internal market without the amount laid down in paragraph 3 being levied.'

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[1] OJ No 308, 18. 12. 1967, p. 1.
[2] OJ No L 199, 19. 7. 1973, p. 7.
[3] OJ No L 73, 27. 3. 1972, p. 14.

Article 3

The following paragraph 3 shall be added to Article 26 of Regulation No 1009/67/EEC:

'3. By way of derogation from paragraphs 1 and 2, the guaranteed quantity for the 1974/75 sugar marketing year shall be fixed by the Council, acting on a proposal from the Commission and in accordance with the voting procedure laid down in Article 43 (3) of the Treaty, after establishment of the system applicable from 1 January 1975 to sugar imports into the Community from certain developing countries.'

Article 4

In Article 34 (2) of Regulation No 1009/67/EEC the amount of 1·80 units of account shall be replaced by 4·00 units of account.

Article 5

This Regulation shall enter into force on the third 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 Luxembourg, 25 June 1974.

For the Council

The President

H. D. GENSCHER