REGULATION (EEC) No 225/74 OF THE COMMISSION

of 28 January 1974

amending Regulation (EEC) No 3335/73 on the movement of goods obtained in the Community under a procedure for the suspension or drawback of customs duties or other import charges

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty [1] concerning the Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and the European Atomic Energy Community;

Having regard to the Act [2] concerning the Conditions of Accession and the Adjustments to the Treaties and in particular Article 45 (2) thereof;

Whereas Council Regulation (EEC) No 3537/73 [3] of 18 December 1973 on the use to be made of inward processing arrangements in trade in agricultural products between Member States of the Community as originally constituted and the new Member States and between the new Member States themselves allows, as a transitional measure and subject to the provisions of Article 45 of the Act of Accession, the manufacture of goods subject to a common organization of the market, from products referred to in Article 61 (1) of the Act of Accession under a procedure for the relief or drawback of the component designed to ensure the protection of the processing industry used in calculating the charge on imports from third countries;

Whereas Council Regulation (EEC) No 3538/73 [4] of 18 December 1973 on the use to be made of inward processing arrangements in trade in goods covered by Regulation (EEC) No 1059/69 [5] between Member States of the Community as originally constituted and the new Member States and between the new Member States themselves allows as a transitional measure; subject to the provisions of Article 45 of the Act of Accession, the manufacture of goods processed from agricultural products referred to in Article 61 of the Act of Accession under a procedure for the relief or drawback of the component designed to ensure the protection of the processing industry and/or from products referred to in Article 47 (2) of the Act of Accession under a procedure for the relief or drawback of the fixed component of the charge applicable;

Whereas as a consequence it is necessary to amend the provisions of Commission Regulation (EEC) No 3335/73 [6] of 10 December 1973 on the movement of goods obtained in the Community under a procedure for the suspension or drawback of customs duties or other import charges,

HAS ADOPTED THIS REGULATION:

Article 1

The provisions of Article 6 of Regulation (EEC) No 3335/73 of the Commission of 10 December 1973 shall be replaced as follows:

'1. The compensatory levy in respect of agricultural goods liable to agricultural levies or other charges laid down under the common agricultural policy and of products covered by Regulation No 170/67/EEC [7] incorporated into manufacture shall be equal to the total amount of the charge for which relief is given and as long as that relief is given.

However the compensatory levy applicable to products referred to in Article 61 (1) of the Act of Accession shall be equal, on the one hand to the total of the variable component for which relief is given and as long as that relief is given of the monetary compensatory amount and, on the other hand, to a percentage of the component for the protection of the processing industry charge on imports from third countries into the Community as originally constituted.

2. The compensatory levy in respect of products covered by Regulation (EEC) No 1059/69 incorporated into the manufacture of goods shall, on the one hand, be equal to the total amount of the variable component for which relief is given and as long as that relief is given, of the monetary compensatory amount and, on the other hand to a percentage of the fixed component charged under Article 47 (2) of the Act of Accession on the importation of such goods into the Community as originally constituted.

[1] OJ No L 73, 27. 3. 1972, p. 5.
[2] OJ No L 73, 27. 3. 1973, p. 14.
[3] OJ No L 361, 29. 12. 1973, p. 4.
[4] OJ No L 361, 29. 12. 1973, p. 6.
[5] OJ No L 141, 12. 6. 1969, p. 1.
[6] OJ No L 341, 12. 12. 1973, p. 10.
[7] OJ No 130, 28. 6. 1967, p. 2596.

3. The provisions of Article 7 (2) and (3) and of Articles 8 and 9 shall apply to that part of the compensatory levy represented by the component designed to ensure the protection of the processing industry and/or by the fixed component.

4. In the case of the products subject both to customs duties and agricultural levies and other charges laid down under the common agricultural policy, the provisions of Section 2 of this title shall apply as regards customs duties and those of paragraph 1, of this Article as regards agricultural levies and other charges laid down under the common agricultural policy.'

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities.* It shall apply as from 1 January 1974.

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

Done at Brussels, 28 January 1974.

For the Commission

The President

François-Xavier ORTOLI