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(Acts whose publication is obligatory)

REGULATION (EEC) No 2979/74 OF THE COUNCIL
of 26 November 1974
establishing average compensatory amounts applicable to certain agricultural products exported in the form of goods not covered by Annex II to the Treaty

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, and in particular Article 47 (5) and Article 97 of the Act annexed thereto;

Having regard to the proposal from the Commission;

Whereas Article 97 of the Act provides that accession compensatory amounts are to be determined in accordance with the rules applicable for the calculation of the refunds provided for in Council Regulation (EEC) No 204/69 (2) of 28 January 1969 establishing the general rules concerning the granting of export refunds and the rules for fixing the amounts thereof, with respect to certain agricultural products exported in the form of goods not covered by Annex II to the Treaty; whereas the latter Regulation has been replaced by Regulation (EEC) No 2682/72 (3); whereas the first subparagraph of Article 4 (1) of that Regulation provides that such amounts are to be fixed on a monthly basis;

Whereas in the case of cereals or rice exported unprocessed, the compensatory amounts may be varied during a given month, pursuant to Article 7 of Regulation (EEC) No 229/73 (4) or under Article 5 of Regulation (EEC) No 243/73 (5);

Whereas it appears unnecessary to follow daily price movements for unprocessed cereals or rice exported in the form of goods covered by Regulation (EEC) No 2682/72, and whereas the principle of monthly fixing should be adhered to for the compensatory amounts applicable to the export of such goods;

Whereas the method of calculating these monthly compensatory amounts must be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

1. If Article 7 of Regulation (EEC) No 229/73 or Article 5 of Regulation (EEC) No 243/73 is applied for one or more days in any one month, the amount applicable the following month by way of compensatory amount to cereals or rice exported in the form of goods covered by Regulation (EEC) No 2682/72 shall be determined on the basis of the average of the amounts determined during the first 25 days of the previous month for such cereals or rice exported unprocessed.

2. However, if the amount varies by less than 5 % from the amount actually applied during the previous month, it shall remain unaltered.

Article 2

This Regulation shall enter into force on the day of 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, 26 November 1974.

For the Council
The President
J. LECANUET

(1) OJ No L 73, 27. 3. 1973, p. 5.
(2) OJ No L 29, 5. 2. 1969, p. 1.
(3) OJ No L 289, 27. 12. 1972, p. 13.
(4) OJ No L 27, 1. 2. 1973, p. 25.
(5) OJ No L 29, 1. 2. 1973, p. 26.