REGULATION (EEC) No 3094/74 OF THE COMMISSION

of 6 December 1974

amending Regulation (EEC) No 3062/74 concerning standing invitation to tender to determine subsidies for imports of white and raw sugars

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to 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 2476/74 [2], and in particular Articles 11 (2) and 16 (5) thereof;

Having regard to Council Regulation No 608/72 [3] of 23 March 1972 laying down rules to be applied in cases of considerable rises in the prices of sugar on the world market, and in particular Article 3 thereof;

Whereas Commission Regulation (EEC) No 3062/74 [4] of 4 December 1974, concerning a standing invitation to tender to determine subsidies for imports of white and raw sugars, provides in particular special rules in order to ensure equality of access among all the applicants in the Community; whereas it proves necessary to complete these rules;

Whereas for this purpose corrective coefficients should be provided for to take account of the monetary situation of the Member States at the time of the award in order to achieve the comparability of offers on the one hand and, on the other hand, to take account of the possibility of export from a Member State other than that into which import took place;

Whereas the Management Committee for Sugar has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be added to Article 8 (3) of Regulation (EEC) No 3062/74 as the second subparagraph thereof:

'As a preliminary to the operation described in the preceding subparagraph, the amount of the subsidy indicated in the tender, will be adjusted. In order to calculate the amount of the adjustment, the maximum sale price referred to in Article 12 (1) (a), reduced by the sum of the target price and 1·59 units of account, shall be converted into a national currency:

(a) firstly by applying the conversion rate used in the common agricultural policy and in force for the currency of the Member State in question, and

(b) secondly by applying the rate referred to in (a) weighted by the coefficient referred to in Article 4 (3) of Regulation (EEC) No 1463/73.

The amount of the adjustment shall be equal to the difference between the results obtained by applying the conversions under (a) and (b)'.

Article 2

The text of Article 16 of Regulation (EEC) No 3062/74 shall be replaced by the following text:

'*Article 16*

1. Where the right referred to in Article 11 (1) (c) has been exercised by the completion of the formalities for the export of the sugar concerned from a Member State other than that into which the imported sugar was put into free circulation, the subsidy shall be increased or reduced, as the case may be, by amounts to be determined for each partial invitation to tender.

For the partial invitation to tender for which the time limit for applications is 11 December 1974 these amounts shall be those shown in the Annex.

In order that this adjustment can be made, the exporter must present the Member State referred to in Article 13, within four weeks following the day on which the customs export formalities are completed, Copy No 1 of the export licence or, where appropriate, Copy No 1 of the extract or extracts of the licences bearing attributions by the Member State from which the sugar was exported.

Amounts referred to in the first subparagraph which are fixed before the publication in the *Official Journal of the European Communities* on the target price valid for the sugar marketing year 1975/76 shall be adjusted in accordance with any increase in the said price.

2. Where appropriate, and at the request of the person having the right to a subsidy, the Member State referred to in Article 13 shall pay him without delay a supplementary amount equal to

(1) OJ No 308, 18. 12. 1967, p. 1.
(2) OJ No L 264, 1. 10. 1974, p. 70.
(3) OJ No L 75, 28. 3. 1972, p. 5.
(4) OJ No L 324, 4. 12. 1974, p. 7.

the difference per 100 kilogrammes between the target price for white sugar applying on the day on which the time limit for the submission of tenders in response to the partial invitation to tender expires, and the target price for white sugar applying on the day on which the person concerned completes the customs export formalities in exercise of the right conveyed by Article 11 (1) (c).

Such payment shall be adjusted by virtue of the provisions of paragraph 1'.

Article 3

This Regulation shall enter into force on 7 December 1974.

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

Done at Brussels, 6 December 1974.

For the Commission

The President

François-Xavier ORTOLI

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

(Applicable à l'adjudication partielle du 11 décembre 1974)

(Applicable to the partial invitation to tender of 11 December 1974)

(Anwendbar auf die Teilausschreibung am 11. Dezember 1974)

(Applicabile alla gara parziale dell'11 dicembre 1974)

(Toe te passen aan de deelinschrijving van 11 december 1974)

(Gældende for del-licitationen af 11. december 1974)

Montant visé à l'article 16 paragraphe 1 du règlement (CEE) nº 3062/74 dont la subvention doit être augmentée (+) ou diminuée (—)

The amount referred to in Article 16 (1) of Regulation (EEC) No 3062/74 by which the subsidy must be increased (+) or reduced (—)

Der in Artikel 16 Absatz 1 der Verordnung (EWG) Nr. 3062/74 genannte Betrag, um den die Subvention zu erhöhen (+) oder zu vermindern (—) ist

Importo indicato all'articolo 16 paragrafo 1 del regolamento (CEE) n. 3062/74 di cui la sovvenzione deve essere aumentata (+) ovvero diminuita (—)

Bedrag bedoeld in artikel 16, lid 1, van Verordening (EEG) nr. 3062/74, waarvan de subsidie verhoogd (+) of verlaagd (—) moet worden

Det i artikel 16, stk. 1, i forordning (EØF) nr. 3062/74 nævnte beløb, med hvilken tilskudet skal formindskes (—) eller forhøjes (+)

État membre d'exportation / Exporting Member State / Ausführender Mitgliedstaat / Stato membro di esportazione / Uitvoerende Lid-Staat / Eksporterende Medlemsstat	État membre d'importation / Importing Member State / Einführender Mitgliedstaat / Stato membro d'importazione / Invoerende Lid-Staat / Importerende Medlemsstat							
	Danmark (Dkr)	Deutschland (DM)	France (FF)	Ireland (£)	Italia (Lit)	Nederland (HFl)	UEBL (Fb/Flux)	United Kingdom (£)
Danmark		— 12,97	+ 14,56	+ 1·251	+ 1 010	— 2,61	— 39,58	+ 1·679
Deutschland	+ 30,54		+ 38,93	+ 3·490	+ 4 505	+ 10,91	+ 156,48	+ 3·918
France	— 18,25	— 20,73		— 0·087	— 1 078	— 10,68	— 156,74	+ 0·341
Ireland	— 17,06	— 20,22	+ 0,95		— 942	— 10,16	— 149,10	+ 0·428
Italia	— 8,83	— 16,72	+ 7,52	+ 0·602		— 6,51	— 96,26	+ 1·030
Benelux	+ 6,03	— 10,41	+ 19,37	+ 1·969	+ 1 700			+ 2·120
United Kingdom	— 22,89	— 22,70	— 3,71	— 0·428	— 1 610	— 12,74	— 186,58	