REGULATION (EEC) No 672/74 OF THE COMMISSION

of 26 March 1974

amending Regulation (EEC) No 2182/73 laying down detailed rules for the application of export levies in the event of the cereals market being disturbed, Regulation (EEC) No 2823/73 making like provision in respect of the rice market, and Regulation (EEC) No 2637/70

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 1346/73 [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 the Act of Accession [4], and in particular Article 10 (2) thereof;

Having regard to Council Regulation (EEC) No 1968/73 [5] of 19 July 1973 laying down general rules to be applied in the event of the cereals market being disturbed, as last amended by Regulation (EEC) No 2632/73 [6], and in particular Article 4 (1) thereof;

Having regard to Council Regulation (EEC) No 2737/73 [7] of 8 October 1973 laying down general rules to be applied in the event of the rice market being disturbed, and in particular Article 4 (1) thereof;

Whereas Commission Regulation (EEC) No 2182/73 [8] of 8 August 1973 laying down detailed rules for the application of export levies in the event of the cereals market being disturbed and amending Regulation (EEC) No 2637/70, and Commission Regulation (EEC) 2823/73 [9] of 17 October 1973 laying detailed rules for the application of export levies in the event of the rice market being disturbed and amending Regulation (EEC) No 2637/70, each provide in their Article 3 (3) that, where the export levy is varied by destination, a security or guarantee regarded as equivalent shall be given;

Whereas the provisions concerning this security or guarantee cannot be applied where the export levy is fixed under a tendering procedure; whereas special provisions offering equivalent guarantees will have to be included in the provisions governing such procedures;

Whereas Article 16 (4) of Commission Regulation (EEC) No 2637/70 [10] 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 389/74 [11] requires amendment for administrative reasons;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The following subparagraph is added to Article 3 (3) of Regulation (EEC) No 2182/73:

'The provisions of this paragraph shall not apply where the export levy is fixed under a tendering procedure'.

2. An identical subparagraph is added to Article 3 (3) of Regulation (EEC) No 2823/73.

Article 2

The endorsement set out in Article 16 (4) of Regulation (EEC) No 2637/70 is amended to read as follows:

'— Rate of export levy fixed by tendering procedure applicable ...
— durch Ausschreibung festgesetzter Abschöpfungssatz bei der Ausfuhr ...
— tasso applicabile del prelievo all'esportazione fissato in base a gara ...
— taux du prélèvement à l'exportation fixé par adjudication applicable ...

[1] OJ No 117, 19. 6. 1967, p. 2269/67.
[2] OJ No L 141, 28. 5. 1973, p. 8.
[3] OJ No L 174, 31. 7. 1967, p. 1.
[4] OJ No L 73, 27. 3. 1972, p. 14.
[5] OJ No L 201, 21. 7. 1973, p. 10.
[6] OJ No L 272, 29. 9. 1973, p. 18.
[7] OJ No L 282, 9. 10. 1973, p. 13.
[8] OJ No L 222, 10. 8. 1973, p. 19.
[9] OJ No 291, 18. 10. 1973, p. 19.
[10] OJ No L 283, 29. 12. 1970, p. 15.
[11] OJ No L 43, 15. 2. 1974, p. 36.

— toe te passen via openbare inschrijving vastgestelde uitvoerheffing ...
— eksportafgift fastsat ved licitation og gældende ...'.

Article 3

This Regulation shall enter into force on the 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 Brussels, 26 March 1974.

For the Commission

The President

François-Xavier ORTOLI