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(Acts whose publication is obligatory)

REGULATION (EEC) No 1121/75 OF THE COUNCIL

of 29 April 1975

establishing upper limits for compensatory amounts for pigmeat, eggs, ovalbumin, lactalbumin and poultrymeat

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 the second subparagraph of Article 55 (6) of the Act of Accession [2];

Having regard to the proposal from the Commission;

Whereas, pursuant to Article 55 (1) of the Act of Accession, the differences in price level for agricultural products between the Community as originally constituted and the new Member States are to be compensated by the levying or granting of compensatory amounts, applicable in trade between the new Member States themselves, in trade between the new Member States within the Community as originally constituted, and in trade between new Member States and third countries;

Whereas under paragraph 6 of that Article the compensatory amount levied or granted by a Member State may not exceed the total amount levied by that same Member State on imports from third countries;

Whereas the compensatory amounts for pigmeat, eggs, ovalbumin, lactalbumin and poultrymeat are calculated on the basis of the compensatory amounts applicable to feed grain, in accordance with the provisions of Council Regulation (EEC) No 234/73 [3] of 31 January 1973 laying down general rules for the system of compensatory amounts for pigmeat, as amended by Regulation (EEC) No 2879/73 [4], and with the provisions of Council Regulation (EEC) No 237/73 [5] of 31 January 1973 laying down general rules for the system of compensatory amounts for eggs, and with Council Regulation (EEC) No 235/73 [6] of 31 January 1973 laying down general rules for the system of compensatory amounts for poultrymeat, both as amended by Regulation (EEC) No 2880/73 [7];

Whereas the total amount levied on imports from third countries comprises the import levy, increased where necessary by an additional amount;

Whereas the method of calculation of the levies is laid down in Articles 8, 9 and 10 of Council Regulation No 121/67/EEC [8] of 13 June 1967 on the common organization of the market in pigmeat, as last amended by Regulation (EEC) No 1861/74 [9], in Articles 3, 4 and 5 of Council Regulation No 122/67/EEC [10] of 13 June 1967 on the common organization of the market in eggs, as last amended by the Act of Accession, in Articles 2 and 3 of Council Regulation No 170/67/EEC [11] of 27 June 1967 on the common system of trade for ovalbumin and lactalbumin, as amended by Regulation (EEC) No 1081/71 [12], and in Articles 3, 4 and 5 of Council Regulation No 123/67/EEC [13] of 13 June 1967 on the common organization of the market in poultrymeat, as last amended by the Act of Accession;

Whereas the additional amounts vary according to product and origin; whereas the upper limit provided for in the first subparagraph of Article 55 (6) of the Act of Accession is applicable only where the total amount levied on imports is fixed at a single level; whereas the fixing of such a level is impossible as a result of the variable levels of the additional amounts; whereas this situation is likely to cause deflections of trade; whereas a derogation from Article 55 (6) of the Act of Accession should be provided under which no

(1) OJ No L 73, 27. 3. 1972, p. 5.
(2) OJ No L 73, 27. 3. 1972, p. 14.
(3) OJ No L 29, 1. 2. 1973, p. 1.
(4) OJ No L 297, 25. 10. 1973, p. 3.
(5) OJ No L 29, 1. 2. 1973, p. 9.
(6) OJ No L 29, 1. 2. 1973, p. 4.
(7) OJ No L 297, 25. 10. 1973, p. 4.
(8) OJ No 117, 19. 6. 1967, p. 2283/67.
(9) OJ No L 197, 19. 7. 1974, p. 3.
(10) OJ No 117, 19. 6. 1967, p. 2293/67.
(11) OJ No 130, 28. 6. 1967, p. 2596/67.
(12) OJ No L 116, 28. 5. 1971, p. 9.
(13) OJ No 117, 19. 6. 1967, p. 2301/67.

account is taken of the additional amount in determining the total amount levied on imports, thereby setting the upper limit for the compensatory amount at the level of the import levy on the sectors in question,

HAS ADOPTED THIS REGULATION :

Article 1

By way of derogation from the first subparagraph of Article 55 (6) of the Act of Accession, the compensatory amount levied or granted for the sectors of pigmeat, eggs, poultrymeat, ovalbumin and lactalbumin may not exceed the amount of the import levy as calculated in accordance with Articles 9 and 10 of Regulation No 121/67/EEC, Articles 4 and 5 of Regulation No 122/67/EEC, Articles 4 and 5 of Regulation No 123/67/EEC, or the amount of the import duty as calculated in accordance with Article 2 of Regulation No 170/67/EEC.

Article 2

This Regulation shall enter into force on 1 May 1975.

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

Done at Brussels, 29 April 1975.

For the Council

The President

M. A. CLINTON