REGULATION (EEC) No 120/75 OF THE COMMISSION

of 17 January 1975

making special provision to cover the transition from the 1974/75 to the 1975/76 milk year as regards the levying of accession compensatory amounts on butter in trade with the United Kingdom

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 new Member States to the European Economic Community and to the European Atomic Energy Community, signed at Brussels on 22 January 1972 ;

Having regard to Council Regulation (EEC) No 804/68 (2) of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 662/74 (3), and in particular Article 5a thereof ;

Having regard to Council Regulation (EEC) No 233/73 (4) of 31 January 1973 laying down general rules for the system of compensatory amounts for milk and milk products, and in particular Article 6 (1) thereof ;

Whereas the alignment with effect from the start of the 1975/76 marketing year of butter prices in the new Member States in pursuance of Article 52 (2) of the Treaty of Accession (5) will lead to a modification of the compensatory amounts laid down in Commission Regulation (EEC) No 710/74 (6) of 29 March 1974 as amended by Annex VII C to Regulation (EEC) No 2518/74 (7) ;

Whereas in view of the marked reduction in the compensatory amounts applicable to certain products in trade between the United Kingdom and the other Member States there is a risk of deflection of trade as a result of speculative transactions ;

Whereas in order to avoid such deflection it is advisable to provide that, for those products which are liable to speculation, the compensatory amounts currently in operation should continue to apply after the beginning of the 1975/76 milk year in the case of exports from the United Kingdom in respect of which it is not established that the products concerned were produced in or exported to the United Kingdom after the beginning of the new milk year ; whereas such a measure is proved to be necessary now for butter and can be extended to other products should the need arise ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. With regard to products falling within Common Customs Tariff heading No 04.03 exported from the United Kingdom after the beginning of the 1975/76 milk year :

(a) the compensatory amounts fixed in Annex VII C to Regulation (EEC) No 2518/74 will remain applicable in respect of exports to third countries ;

(b) without prejudice to the compensatory amounts in force for the 1975/76 milk year, the United Kingdom shall charge on exports to other Member States an amount equal to the difference between the compensatory amount fixed in Annex VII C to Regulation (EEC) No 2518/74 and that applicable under the terms of the Regulation fixing the accession compensatory amounts for the 1975/76 milk year.

2. However, paragraph 1 shall not apply to products in respect of which proof is furnished that they were, after the beginning of the 1975/76 milk year :

(a) produced in the United Kingdom,

or

(b) exported to the United Kingdom within the meaning of Article 4 of Commission Regulation (EEC) No 269/73 (8) of 31 January 1973 laying

(1) OJ No L 73, 27. 3. 1972, p. 5.
(2) OJ No L 148, 28. 6. 1968, p. 13.
(3) OJ No L 85, 29. 3. 1974, p. 51.
(4) OJ No L 28, 1. 2. 1973, p. 37.
(5) OJ No L 73, 27. 3. 1972, p. 14.
(6) OJ No L 88, 1. 4. 1974, p. 1.
(7) OJ No L 270, 5. 10. 1974, p. 1.
(8) OJ No L 30, 1. 2. 1973, p. 73.

down detailed rules for the application of the system of accession compensatory amounts as last amended by Regulation (EEC) No 343/74 [1].

3. The United Kingdom shall take the necessary measures with regard to the documents to be produced as evidence for the purposes for paragraph 2. Such measures shall include provision for the verification of such documents.

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities.*

It shall be applicable until the end of the sixth month following the beginning of the 1975/76 milk year.

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

Done at Brussels, 17 January 1975.

For the Commission

The President

François-Xavier ORTOLI

(1) OJ No L 40, 12. 2. 1974, p. 4.