REGULATION (EEC) No 1993/75 OF THE COMMISSION

of 31 July 1975

laying down detailed rules for the application of the system of compensatory amounts for tomato concentrates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 1930/75 (1) of 22 July 1975 laying down special provisions for trade in tomato concentrates between the Community as originally constituted and the new Member States, and in particular Article 6 thereof;

Whereas Regulation (EEC) No 1930/75 has established, in respect of intra-Community trade a system of compensatory amounts for tomato concentrates for which an export refund is granted;

Whereas that system has effects similar to those of the accession compensatory amounts applicable to other agricultural products; whereas for this reason the detailed rules for the application of the system for tomato concentrates can take over in large measure the provisions of Commission Regulation (EEC) No 269/73 (2) of 31 January 1973 laying down detailed rules for the application of the accession compensatory amounts, as last amended by Regulation (EEC) No 121/75 (3);

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Products Processed from Fruit and Vegetables;

HAS ADOPTED THIS REGULATION:

Article 1

For purposes of the operation of the system of compensatory amounts for tomato concentrates provided for in Regulation (EEC) No 1930/75, the provisions of Regulation (EEC) No 269/73 shall apply, with the exception of the following:

— Article 5 (2),

— Article 7 (1),

— Article 8.

Article 2

1. In intra-Community trade in products for which a compensatory amount is applied section 32 of the accompanying Community transit document shall contain one of the following endorsements:

Tomato concentrate compensatory amount (Member State of dispatch/Member State of destination)

udligningsbeløb tomatkoncentrater (Afsendelsesmedlemsstat/Bestemmelsesmedlemsstat)

Ausgleichsbetrag Tomatenmark (Abgangsmitgliedstaat/Bestimmungsmitgliedstaat)

importo compensativo concentrati di pomodori (Stato membro di partenza/Stato membro di destinazione)

montant compensatoire concentré de tomates (État membre de départ/État membre de destination)

compenserend bedrag tomatenpuree (Lid-Staat van vertrek/Lid-Staat van bestemming).

Where movement certificate DD 3 is used, one of the above endorsements shall be entered on page 2 of the certificate.

The customs effice where export formalities are completed shall ensure that this paragraph is complied with.

2. Where, for products for which a compensatory amount is applied, the Community transit document is replaced by a new document, section 32 of the new document shall contain the endorsement entered on the original document.

3. Where Commission Regulation (EEC) No 304/71 (4) is applied to the carriage of the products in question the endorsement provided for in paragraphs 1 and 2 shall be entered on the international consignment note (CIM) in the section headed 'Description of goods' or, as the case may be, on the international express parcels consignment note (TIEx). This endorsement shall be authenticated by the stamp of the customs office of departure.

However, if a Member State avails itself of the option provided for in Article 7 (4) of Regulation (EEC) No 304/71, the endorsement need not be authenticated, provided that no compensatory amount is granted by that Member State and that the original document has not been replaced by a new document in that Member State.

(1) OJ No L 198, 29. 7. 1975, p. 15.
(2) OJ No L 30, 1. 2. 1973, p. 73.
(3) OJ No L 13, 17. 1. 1975, p. 23.
(4) OJ No L 35, 12. 2. 1971, p. 3.

4. Products introduced into a Member State other than that indicated as the Member State of destination on the transit documents mentioned in paragraphs 1 and 3 shall be regarded as coming from :

— the Member State of dispatch if the endorsements made pursuant to paragraph 1 show that the compensatory amount should be levied by the Member State indicated as the Member State of destination,

— the Member State of destination if the endorsements made pursuant to paragraph 1 show that the compensatory amount should have been granted by the Member State of dispatch.

Article 3

This Regulation shall enter into force on 1 August 1975.

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

Done at Brussels, 31 July 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission