REGULATION (EEC) No 2365/75 OF THE COMMISSION

of 16 September 1975

on special provisions applicable to sugar produced in excess of the maximum quota during the sugar marketing year 1975/76

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 3330/74 (1) of 19 December 1974 on the common organization of the market in sugar, and in particular Article 26 (3) thereof ;

Whereas Article 2 (3) of Commission Regulation (EEC) No 2645/70 (2) of 28 December 1970 on the provisions applicable to sugar produced in excess of the maximum quota, as last amended by Regulation (EEC) No 59/74 (3), lays down in particular that, where the sugar exported has not been produced by the manufacturers in question, the latter shall pay a sum of two units of accounts per 100 kilogrammes of sugar ; whereas the payment of this standard amount must in every case be regarded as necessary or sufficient to offset any benefit resulting from the substitution ;

Whereas the extraordinary shortage of sugar existing since the sugar marketing year 1974/75 has, in order to supply the Community, necessitated recourse to sugar produced in excess of the maximum quota, to the granting of subsidies on imports of sugar and to the creation of better productional conditions for the sugar marketing year 1975/76, in particular by a substantial increase of Community prices and by fixing the production levy at zero from the outset ; whereas in these circumstances the provision imposing the abovementioned standard payment when the sugar exported has not been produced by the manufacturer in question should be temporarily suspended ;

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

HAS ADOPTED THIS REGULATION :

Article 1

By way of derogation from Article 2 (3) (b) of Regulation (EEC) No 2645/70, the sum of two units of account shall not be applied to sugar produced in excess of the maximum quota during the sugar marketing year 1975/76 which is exported under the conditions mentioned in the said paragraph.

Article 2

This Regulation shall enter into force on the third 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, 16 September 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

(1) OJ No L 359, 31. 12. 1974, p. 1.
(2) OJ No L 283, 29. 12. 1970, p. 48.
(3) OJ No L 8, 10. 1. 1974, p. 15.