# REGULATION (EEC) No 2733/75 OF THE COUNCIL

## of 29 October 1975

## laying down rules for deriving intervention prices for common wheat and for determining certain marketing centres for cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 2727/75 [1] of 29 October 1975 on the common organization of the market in cereals, and in particular Article 4 (5) thereof;

Having regard to the proposal from the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 2727/75 provides that derived intervention prices for common wheat should be fixed at a level which will allow the free movement of cereals within the Community in accordance with the needs of the market; whereas to this end intervention prices should be fixed in such a way that the differences between them correspond to the disparities in prices to be expected in a normal harvest under natural conditions of price formation on the market;

Whereas the level of market prices is not determined solely by the cost of transport to Duisburg, the marketing centre in the area of greatest deficit in the north-west of the Community; whereas account should also be taken of the geographical situation of the surplus and deficit areas of the Community, the requirements of other consumer areas, imports from third countries and export possibilities;

Whereas derived intervention prices for common wheat in the different marketing centres should be fixed at such a level that common wheat coming from other areas cannot be offered at a price below that level;

Whereas the calculation of derived intervention prices should be made with reference to the most favourable means of transport and existing tariffs; and, moreover, where inland waterway or sea freight charges are not based on a tariff, the lowest freight charges recorded over a reference period should be taken into account;

Whereas intervention prices for the marketing centres to be determined by the Commission must not lead to disturbances in the normal pattern of trade;

Whereas, to ensure the proper working of the intervention system, the selection of marketing centres other than the principal centres should be based on a geographical situation and storage facilities which allow the assembly and disposal of large quantities of cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the purpose of fixing derived intervention prices for common wheat, market prices shall be considered as being established under natural conditions of price formation as follows:

— in deficit areas whose supplies depend to a certain extent on imports, on the basis of the price at which imported common wheat is offered in those areas,

— in production areas whose surpluses contribute to a certain extent to the supply of the above-mentioned areas, on the basis of the above-mentioned price and the cost of transport to those areas,

— in ports of shipment, on the basis of the price in the main production area for exports and the cost of transport to the main port of shipment for that area,

— in other production areas whose surpluses are likely to be exported to a certain extent, on the

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[1] See page 1 of this Official Journal.

basis of the price ruling in the ports of shipment and the cost of transport to those ports,

— in deficit areas other than those mentioned above, on the basis of prices in the surplus area best placed from the freight point of view, and the cost of transport to the deficit area.

*Article 2*

Where transport costs enter into the calculation of derived intervention prices for common wheat, they shall be based on the most favourable means of transport or combination of means of transport and on existing tariffs.

Where inland waterway or sea freight charges are not based on a tariff, the lowest average of those freight charges recorded over a period of two months selected from the 12 months preceding the month during which the prices are fixed shall be taken into account.

*Article 3*

In all cases, derived intervention prices for common wheat shall be fixed in such a way that there is no discrimination between Community producers and in particular that common wheat coming from one region cannot be offered in another region for less than the intervention price applicable therein.

*Aritcle 4*

Derived intervention prices for common wheat shall in no case be fixed above the basic intervention price.

*Article 5*

When the intervention price for maize provided for in Article 4 (2) of Regulation (EEC) No 2727/75 is calculated, the basic intervention price which would have been fixed for the Community if Article 4 (1) of that Regulation had applied shall be equal to the target price for maize reduced by the difference between the target price and the basic intervention price for barley for the marketing year in question.

*Article 6*

Derived intervention prices for common wheat for the marketing centres referred to in Article 4 (5) (a) of Regulation (EEC) No 2727/75 shall be fixed in such a way that they cannot disturb the normal pattern of trade.

*Article 7*

The marketing centres to be determined pursuant to Article 4 (5) (a) of Regulation (EEC) No 2727/75 shall meet one of the following conditions:

(a) location in regions having an appreciable production of cereals which considerably exceeds the local demand either regularly or occasionally;

(b) existence of substantial storage facilities;

(c) special importance as a market for the goods inside and outside the Community.

*Article 8*

1. Of the centres situated in regions of the kind mentioned in Article 7 (a), only those centres shall be considered which have:

(a) storage facilities with technical equipment permitting the taking over, handling and discharge of a sufficiently large quantity of cereals;

(b) transport connections favourable to the taking over and, more important, the disposal of cereals.

2. Of the centres meeting the conditions mentioned in Article 7 (b) or (c), only those shall be considered whose storage facilities, technical equipment and advantageous geographical situation permit the assembly and, more important, the disposal of large homogeneous quantities of cereals.

*Article 9*

Each year the Council, acting on a report from the Commission, shall examine the results of the application of the rules laid down in the preceding Articles.

*Article 10*

1. Council Regulation (EEC) No 131/67/EEC [1] of 13 June 1967 laying down rules for deriving intervention prices and for determining certain marketing centres for cereals, as last amended by Act of Accession [2], is hereby repealed.

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[1] OJ No 120, 21. 6. 1967, p. 2362/67.
[2] OJ No L 73, 27. 3. 1972, p. 14.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

A table is provided in the Annex for the purposes of correlating citations of and references to the Articles of that Regulation with those of this Regulation.

*Article 11*

This Regulation shall enter into force on 1 November 1975.

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

Done at Luxembourg, 29 October 1975.

*For the Council*

*The President*

G. MARCORA

*ANNEX*

**Correlation**

| *Regulation No 131/67/EEC* | *This Regulation* |
|---|---|
| Article 8 | Article 7 |
| Article 9 | Article 8 |
| Article 10 | Article 9 |