REGULATION (EEC) No 2852/75 OF THE COMMISSION

of 31 October 1975

laying down detailed rules for the application of the system of accession compensatory amounts in order to prevent deflections of trade in the pigmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty of Accession [1];

Having regard to Council Regulation (EEC) No 234/73 [2] of 31 January 1973 laying down general rules for the system of compensatory amounts for pigmeat, as amended by Regulation (EEC) No 2879/73 [3], and in particular Article 8 (1) thereof;

Whereas, in respect of pigmeat, the amounts applicable as compensatory amounts are calculated every quarter in accordance with the rules laid down in Article 3 of Regulation (EEC) No 234/73; whereas the method of calculation adopted may result in the fixing of amounts which differ considerably from one quarter to the next; whereas the situation thus created is likely to produce artificial trade flows between the United Kingdom and Ireland and the other Member States, as a result of operations conducted solely to take advantage of the difference between the compensatory amounts for two quarters;

Whereas the amounts applicable as compensatory amounts for the period 1 November 1975 to 31 January 1976 are considerably lower than those of the preceding quarter; whereas, therefore, to prevent speculation provision should be made for a check to be kept on exports from Ireland and the United Kingdom, so that the amounts fixed for the previous quarter may where necessary be applied;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Where pigmeat products other than live animals are imported from Ireland or the United Kingdom into the other Member States or exported from Ireland or the United Kingdom to non-member countries, the amounts applicable as compensatory amounts during the period 1 November 1975 to 31 January 1976 shall be those which were applicable during the period 1 August to 31 October 1975.

2. The provisions of paragraph 1 shall not apply:

(a) to fresh, chilled or frozen meat in respect of which proof is supplied that it was obtained from animals slaughtered in Ireland or in the United Kingdom;

(b) to other products in respect of which proof is supplied that they were produced in one of those two Member States;

(c) to products in respect of which proof is supplied

— that they were imported from a non-member country into Ireland or the United Kingdom after 31 October 1975, or

— that they were exported from another Member State to Ireland or the United Kingdom after 31 October 1975.

3. Where none of the proofs mentioned in paragraph 2 is supplied, there shall be entered on the Community transit document T3 or on any document having equivalent effect or on document T3L, in the section reserved for the description of the product, the following endorsement:

— 'Accession compensatory amount — Article 1 (1) of Regulation (EEC) No 2852/75'.

— 'Montant compensatoire adhésion — Application l'article 1er paragraphe 1 du règlement (CEE) nº 2852/75'.

— 'Beitrittsausgleichsbetrag — Anwendung Artikel 1 Absatz 1 der Verordnung (EWG) Nr. 2852/75.'

— 'Compenserend bedrag toetreding' — Toepassing artikel 1, lid 1, van Verordening (EEG) nr. 2852/75.'

— 'Importo compensativo adesione — Applicazione articolo 1, paragrafo 1, del regolamento (CEE) n. 2852/75.'

— 'Tiltrædelsesudligningsbeløb — Anvendelse af artikel 1, stk. 1, i forordning (EØF) nr. 2852/75.'

4. Where products exported from Ireland or the United Kingdom are imported into another Member State after 31 October 1975 and the Community transit document T3 or any document having equivalent effect or the document T3L appears to have been stamped by the authorities in Ireland or the United Kingdom before 1 November 1975, the compensatory amounts applicable during the period 1 August to 31 October 1975 shall be levied on those

(1) OJ No L 73, 27. 3. 1972, p. 5.
(2) OJ No L 29, 1. 2. 1973, p. 1.
(3) OJ No L 297, 25. 10. 1973, p. 3.

products, unless the party concerned establishes to the satisfaction of the competent authorities of the importing Member States that the products concerned come within (a) or (b) of paragraph 2.

Article 2

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 Brussels, 31 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission