REGULATION (EEC) No 3118/75 OF THE COMMISSION

of 28 November 1975

fixing for the sugar marketing year 1974/75 the guaranteed quantity and the amount of the production levy and laying down certain associated special measures

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, as last amended by Regulation (EEC) No 2623/75 [2], and in particular Article 48 thereof;

Whereas under Article 26 (1) and (2) of Council Regulation No 1009/67/EEC [3] of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 2476/74 [4], the Council was to fix for each marketing year, at the same time as the derived intervention prices, a guaranteed quantity based on anticipated human consumption less the quantity of sugar permitted to be imported under the arrangements laid down in Protocol 17 [5] to the Act annexed to the Treaty of Accession; whereas, in respect of the sugar marketing year 1974/75, paragraph 3 of the same Article, which was added by Regulation (EEC) No 1602/74 [6], provided by way of derogation from the preceding paragraphs of that Article that the guaranteed quantity should be fixed after the commencement of the arrangements to be applied with effect from 1 January 1975 in respect of imports into the Community of sugar originating in certain developing countries;

Whereas under Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé and provisionally implemented with effect from 28 February 1975 by the Agreements [7] on cane sugar in the form of exchanges of letters between the Community and certain ACP States, and by virtue of the Council Decision of 25 February 1975 [8] on imports of cane sugar originating in the overseas countries and territories (OCT), as supplemented by the Council Decision of 26 March 1975 [9], and of the Agreement [10] between the European Economic Community and the Republic of India on cane sugar, which entered into force on 18 July 1975, cane sugar originating in the States, countries and territories concerned has in the meantime been allowed to be imported into the Community on preferential terms; whereas the Council has consequently been unable to fix in time for the sugar marketing year 1974/75 the said guaranteed quantity; whereas Regulation No 1009/67/EEC has been repealed with effect from 30 June 1975 by Regulation (EEC) No 3330/74;

Whereas the abovementioned provisions governing the previous fixings, and the reasons which led the Council to derogate therefrom as regards the marketing year 1974/75, should in spite of the repeal of Regulation No 1009/67/EEC be given effect in respect of that year; whereas the guaranteed quantity for the said marketing year should therefore be calculated by subtracting the quantities imported on preferential terms over the period 1 October 1974 to 30 September 1975 from the quantity disposed of for human consumption during the same period; whereas this latter quantity amounts to 9 587 000 metric tons while the imports in question amount to 1 158 000 metric tons expressed in white value; whereas the guaranteed quantity should therefore be fixed at 8 429 000 metric tons of white sugar;

Whereas Article 7 (1) of Commission Regulation (EEC) No 700/73 [11] of 12 March 1973 laying down certain detailed rules for the application of the quota system for sugar provides that the amount of the production levy valid for a given marketing year shall be fixed before 1 December of the following marketing year; whereas the amount of the production levy is to be calculated in particular by reference to the losses incurred in disposing of the quantity produced in the Community in excess of the guaranteed quantity; whereas production within the maximum quotas during the marketing year in question, including quantities carried forward to that marketing year, amounted to 8 363 175·1 metric tons; whereas the production levy for the sugar marketing year 1974/75 should therefore be fixed at zero;

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

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(1) OJ No L 359, 31. 12. 1974, p. 1.
(2) OJ No L 268, 17. 10. 1975, p. 1.
(3) OJ No 308, 18. 12. 1967, p. 1.
(4) OJ No L 264, 1. 10. 1974, p. 70.
(5) OJ No L 73, 27. 3. 1972, p. 173.
(6) OJ No L 172, 27. 6. 1974, p. 7.
(7) OJ No L 268, 17. 10. 1975, p. 39.
(8) OJ No L 268, 17. 10. 1975, p. 43.
(9) OJ No L 268, 17. 10. 1975, p. 45.
(10) OJ No L 190, 23. 7. 1975, p. 36.
(11) OJ No L 67, 14. 3. 1973, p. 12.

HAS ADOPTED THIS REGULATION:

Article 1

The guaranteed quantity for the sugar marketing year 1974/75 shall be 8 429 000 metric tons of white sugar.

Article 2

The amount of the production levy for the sugar marketing year 1974/75 shall be 0·00 unit of account per 100 kilogrammes of white sugar.

Article 3

The price to be paid by sugar manufacturers to sellers of beet in respect of beets used for sugar produced during the marketing year 1974/75 in excess of the basic quota but within the maximum quota shall be not less than the minimum price for beet for that year.

Article 4

This Regulation shall enter into force on the 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, 28 November 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission