REGULATION (EEC) No 456/75 OF THE COMMISSION

of 26 February 1975

amending Regulation (EEC) No 1463/73 laying down detailed rules for the application of monetary compensatory amounts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 974/71 (1) of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States, as last amended by Regulation (EEC) No 3259/74 (2), and in particular Article 6 thereof;

Whereas Commission Regulation (EEC) No 1463/73 (3) of 30 May 1973, as last amended by Regulation (EEC) No 2521/74 (4), laid down detailed rules for applying the system of monetary compensatory amounts; whereas further precision in those rules has been found necessary;

Whereas Article 4 (3) of Regulation (EEC) No 1463/73 provides that in trade with the new Member States the accession compensatory amounts, and in trade with third countries the import charges, as expressed in units of account, are to be multiplied by a coefficient; whereas for certain processed products amounts intended to protect the processing industry, hereinafter called 'fixed components', are applied, pursuant to Articles 47 and 61 of the Act (5) annexed to the Treaty (6) concerning the accession of new Member States to the European Economic Community and to the European Atomic Energy Community, in trade between the Member States; whereas the fixed component is also an import charge; whereas it is therefore necessary to provide expressly that this component is also to be multiplied by the coefficient;

Whereas food aid exports fulfil a humanitarian purpose; whereas they should therefore be exempted from the application of monetary compensatory amounts;

Whereas the opportunity should at the same time be taken to make certain corrections to the English version of Regulation (EEC) No 1463/73;

Whereas the measures provided for in this Regulation are in accordance with the Opinions of all the Management Committees for the common organization of agricultural markets,

HAS ADOPTED THIS REGULATION:

Article 1

The text of Article 4 (3) of Regulation (EEC) No 1463/73 is replaced by the following:

'However,

(a) in trade with the new Member States the accession compensatory amounts and the fixed components, and

(b) in trade with third countries the import charges and the export refunds and levies,

expressed in units of account, applicable to the products referred to in paragraph 1 shall be multiplied by a coefficient. For the purposes of this Regulation, the amount levied pursuant to the last subparagraph of Article 2 (1) of Regulation (EEC) No 986/68 on exports of skimmed milk or skimmed-milk powder in the form of denatured skimmed-milk powder or compound feedingstuffs shall not be treated as an export levy.

For the Member States which keep their exchange rates at any given moment within a band of 2·25 % the coefficient shall be as follows:

— Belgium, Luxembourg, Netherlands: 0·973;

— Germany: 0·8797.

For the other Member States, the coefficient shall be derived from the percentage used to calculate the monetary compensatory amount and shall be fixed by the Commission at the same time as this amount.'

Article 2

The following Article shall be inserted in Regulation (EEC) No 1463/73:

(1) OJ No L 106, 12. 5. 1971, p. 1.
(2) OJ No L 349, 28. 12. 1974, p. 10.
(3) OJ No L 146, 4. 6. 1973, p. 1.
(4) OJ No L 270, 5. 10. 1974, p. 70.
(5) OJ No L 73, 27. 3. 1972, p. 14.
(6) OJ No L 73, 27. 3. 1972, p. 5.

'Article 16a

1. In respect of the following transactions concerning products supplied for purposes of Community or national food-aid programmes no monetary compensatory amount shall be applicable :

— in the case of products from intervention stocks, intra-Community trading operations and exportation to third countries,

— in the case of products mobilized on the Community market, exportation to third countries.

2. No monetary compensatory amount shall be applied in respect of exports to third countries for purposes of food-aid programmes carried out by humanitarian organizations, provided that such programmes have been approved under the procedure laid down in Article 6 of Regulation (EEC) No 974/71.'

Article 3

Where those concerned so request, Article 16a (1) of Regulation (EEC) No 1463/73 shall apply with effect from 1 January 1974.

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

Done at Brussels, 26 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission