REGULATION (EEC) No 540/75 OF THE COMMISSION

of 28 February 1975

laying down additional measures to be taken in agriculture following the fixing, with effect from 3 March 1975, of new representative rates for the currencies of certain Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 475/75 (1) of 27 February 1975 on the exchange rates to be applied in agriculture, and in particular Article 4 thereof;

Whereas Regulation (EEC) No 475/75 has introduced, in respect of certain Member States, new representative rates to be used where transactions carried out under instruments of the common agricultural policy or specific rules adopted under Article 235 of the Treaty require national currencies to be expressed in other currencies or in units of account;

Whereas, however, under Article 2 of the same Regulation, the intervention prices and buying-in prices fixed for the common agricultural policy are generally to be adjusted at the beginning of the 1975/76 marketing year or of the period for which the prices are to apply, in so far as such periods have not already begun; whereas under Articles 3 (1) and 4 of that Regulation the amounts to be paid out by Member States under the Regulations on the common organization of agricultural markets in respect of other measures of intervention on the internal market are to be fixed in the light of the effect of that Regulation while the other prices and amounts fixed for the common agricultural policy by specific provisions adopted under Article 235 of the Treaty are to be adjusted as necessary; whereas a 2·27 % increase may be provided for as regards amounts fixed in units of account but not related to the fixing of prices;

Whereas, as regards amounts other than those increased by 2·27 %, the necessary adjustments may be made by multiplying amounts fixed in units of account but applied in national currencies by a coefficient reflecting the relationship in the national currency between the prices resulting from application of the conversion rates valid before 3 March 1975 and those valid from that date; whereas, however, account must be taken of the fact that, for products in respect of which there are monetary compensatory amounts, that price difference will be taken into account when such compensatory amounts are fixed;

Whereas the necessary amendments must be kept to a minimum so as to avoid complicating the system to an excessive extent; whereas it has been found appropriate to leave unaffected amounts of a purely standard nature and those not having a practical application or which are of limited economic significance;

Whereas Council Regulation (EEC) No 1967/74 (2) of 23 July 1974, as last amended by Regulation (EEC) No 462/75 (3), introduced a system of premiums for the orderly marketing of certain adult bovine animals for slaughter which was originally intended to apply during the 1974/75 marketing year and whose validity was extended until 30 April 1975; whereas Council Regulation (EEC) No 2504/74 (4) of 20 October 1974, as amended by Regulation (EEC) No 462/75, laid down the rules for financing that system; whereas the representative rates applicable from 3 March 1975, the date on which the 1975/76 beef and veal marketing year begins, would in principle lead to a reduction in Germany and in the Benelux countries of the amounts up to which expenditure incurred under the said premium system is to be financed; whereas, since the measure in question represents an extension of limited duration of the system applicable for the previous marketing year, it appears appropriate, as a transitional measure, to provide for the said amounts as expressed in national currency before the start of the marketing year to be kept at their former level until the system ceases to apply;

(1) OJ No L 52, 28. 2. 1975, p. 28.

(2) OJ No L 206, 27. 7. 1974, p. 1.
(3) OJ No L 52, 28. 2. 1975, p. 2.
(4) OJ No L 269, 4. 10. 1974, p. 1.

Whereas Regulation (EEC) No 475/75 has brought into operation the provisions of Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down rules for the implementation of Regulation (EEC) No 653/68 on conditions for altering the value of the unit of account used for the common agricultural policy; whereas Article 4 of that Regulation provides, *inter alia*, that any person having applied for and obtained the advance fixing of an amount for a given transaction may have that advance fixing and the relevant document or certificate cancelled;

Whereas the changes in the conversion rates will have effect in practice only from the dates specified in Article 2 of Regulation (EEC) No 475/75; whereas it should be provided that the right of cancellation as aforesaid shall be available only when the amounts fixed in advance are actually affected; whereas, moreover, cancellation is justified only if the change in the amount fixed in advance was unforeseeable; whereas the right to cancellation should therefore apply only to amounts in respect of which advance fixing was applied for before the change in the relevant amount became foreseeable;

Whereas the measures provided for in this Regulation are in accordance with the Opinions of all the relevant Management Committees and also with that of the Standing Committee on Agricultural Products,

HAS ADOPTED THIS REGULATION:

Article 1

The various items listed in Annex I shall:

— until 30 April 1975, in Germany and the Benelux countries, in the case of certain adult bovine animals for slaughter;

— until 31 July 1975, in the case of pigmeat, eggs, poultrymeat and ovalbumin and lactalbumin;

— until 15 September 1975, in the case of milk and milk products in the Benelux countries;

— until 15 December 1975, in the case of wine products;

— until 31 December 1975, in the case of fishery products and tobacco in Germany and the Benelux countries;

— until the beginning of the 1975/76 marketing year for all other products, be multiplied by the coefficients:

(a) in the Benelux countries	1·00725
(b) in Germany	1·02271
(c) in France	0·98598
(d) in Ireland	0·95536
(e) in Italy	0·97199
(f) in the United Kingdom	0·97830

Article 2

1. The amounts set out in Annex II shall be varied as specified therein.

2. As regards the amounts set out in section A of Annex II, the Member States shall within three months of the entry into force of this Regulation put into force the measures required to comply with paragraph 1.

Article 3

1. The last subparagraph of Article 4 (1) of Regulation (EEC) No 1134/68 shall apply in respect of the relevant products and Member States with effect from the dates specified in Article 2 (1) of Regulation (EEC) No 475/75.

2. It shall apply only to amounts fixed in advance and documents or certificates relating thereto issued, within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 [1], before 3 March 1975.

Article 4

This Regulation shall enter into force on 3 March 1975.

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

Done at Brussels, 28 February 1975.

For the Commission
P. J. LARDINOIS
Member of the Commission

[1] OJ No L 25, 31. 1. 1975, p. 10.

ANNEX I

A. OILS AND FATS

I. **Oil seeds**

1. intervention prices
2. monthly increases in the intervention prices
3. increases and reductions in the intervention prices
4. aids
5. export refunds
6. accession compensatory amounts

II. **Olive oil**

1. intervention prices
2. monthly increases in the intervention prices
3. increases and reductions in the intervention prices
4. aids, subject as provided in Article 2 (2) of Regulation (EEC) No 1847/74 [1]
5. import levies
6. export levies
7. export refunds

B. CEREALS

1. intervention prices
2. monthly increases in the intervention prices
3. special price increase for rye of bread-making quality
4. production refunds
5. minimum prices for potatoes to be paid by the starch manufacturer and minimum prices to be received by the producer
6. standard amounts under Article 3 of Regulation (EEC) No 376/70 [2]
7. minimum selling price under Articles 5 and 6 of Regulation (EEC) No 376/70
8. storage premiums under special intervention measures
9. production aids for durum wheat, subject to Article 2 (2) of Regulation (EEC) No 1847/74
10. where no monetary compensatory amount is applicable:
    - import levies
    - export levies
    - export refunds
    - accession compensatory amounts
    - premiums to be added to the import levies
    - corrective amounts applicable to export refunds
    - components for protection of the processing industry under Article 61 of the Act of Accession [3], in intra-Community trade

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[1] OJ No L 195, 18. 7. 1974, p. 1.
[2] OJ No L 47, 28. 2. 1970, p. 49.
[3] OJ No L 73, 27. 3. 1972, p. 14.

C. RICE

1. intervention prices
2. monthly increases in the intervention prices
3. corrective amounts applicable to intervention prices
4. standard amounts under Article 3 of Regulation (EEC) No 471/67 (1)
5. minimum selling price under Article 4 of Regulation (EEC) No 471/67
6. import levies
7. export levies
8. export refunds
9. accession compensatory amounts
10. premiums to be added to import levies
11. corrective amounts applicable to export refunds
12. components for protection of the processing industry under Article 61 of the Act of Accession (2), in intra-Community trade.

D. PIGMEAT

1. buying-in prices
2. private storage aids
3. sluice-gate prices, where converted into national currencies to ensure compliance with obligations entered into by third countries
4. where no monetary compensatory amount is applicable:
   — levies
   — accession compensatory amounts

E. EGGS AND POULTRYMEAT

1. sluice-gate prices, where converted into national currencies to ensure compliance with obligations entered into by third countries
2. where no monetary compensatory amount is applicable:
   — levies
   — accession compensatory amounts

F. OVALBUMIN AND LACTALBUMIN

Sluice-gate prices, where converted into national currencies to ensure compliance with obligations entered into by third countries.

G. SUGAR

1. intervention prices
2. increases and reductions in intervention prices

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(1) OJ No 204, 24. 8. 1967, p. 12.
(2) OJ No L 73, 27. 3. 1972, p. 14.

3. amounts fixed under the intervention system to cover packing costs

4. minimum prices for beet

5. contributions and reimbursements under the arrangements for offsetting storage costs

6. production refunds

7. subsidies under Article 34 of Regulation No 1009/67/EEC (1)

8. production levy

9. amounts under Article 6 (2) of Regulation (EEC) No 700/73 (2)

10. premium granted for the production of sugar from molasses under Regulation (EEC) No 260/75 (3)

11. maximum selling price for sugar imported under tendering procedures

4. MILK AND MILK PRODUCTS

1. intervention prices

2. aids for skimmed-milk powder and skimmed milk for animal feedingstuffs

3. aid for skimmed milk processed into casein and caseinates

4. the amounts specified in:

5. (a) Articles 2 (2) and 8 (1) of Regulation (EEC) No 1108/68 (4)
   (b) Articles 6 (2), 8 (2) and 24 (1) of Regulation (EEC) No 685/69 (5)
   (c) the Annex to Regulation (EEC) No 757/71 (6)
   (d) Article 2 of Regulation (EEC) No 1282/72 (7)
   (e) Article 3 (1) of Regulation (EEC) No 1717/72 (8)
   (f) Article 2 (1) of Regulation (EEC) No 71/73 (9)
   (g) Articles 2 (1) and (3) and 3 (1) of Regulation (EEC) No 349/73 (10)
   (h) Articles 11 (1) and 12 (1) of Regulation (EEC) No 232/75 (11)
   (i) Article 9 of Regulation (EEC) No 1365/74 (12)
   (j) Article 9 of Regulation (EEC) No 2121/74 (13)

6. maximum and minimum amounts fixed in connection with tendering procedures

7. where no monetary compensatory amount is applicable:
   — import levies
   — export refunds
   — accession compensatory amounts

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(1) OJ No 308, 18. 12. 1967, p. 1.
(2) OJ No L 67, 14. 3. 1973, p. 12.
(3) OJ No L 27, 1. 2. 1975, p. 39.
(4) OJ No L 184, 29. 7. 1968, p. 34.
(5) OJ No L 90, 15. 4. 1969, p. 12.
(6) OJ No L 83, 8. 4. 1971, p. 53.
(7) OJ No L 142, 22. 6. 1972, p. 14.
(8) OJ No L 181, 9. 8. 1972, p. 11.
(9) OJ No L 12, 13. 1. 1973, p. 14.
(10) OJ No L 40, 13. 2. 1973, p. 1.
(11) OJ No L 24, 31. 1. 1975, p. 45.
(12) OJ No L 147, 1. 6. 1974, p. 46.
(13) OJ No L 222, 12. 8. 1974, p. 10.

I. BEEF AND VEAL

The amounts set out in Article 1 (1) of Regulation (EEC) No 2504/74 [1].

J. WINE

1. activating prices
2. minimum purchasing prices to be paid by distillers
3. aid granted to distillers
4. private storage aid for table wines
5. until 31 August 1975, buying-in prices to be paid by intervention agencies under the arrangements for distilling wine by-products
6. reference prices, where converted into national currencies to ensure compliance with obligations entered into by third countries
7. where no monetary compensatory amount is applicable:
   — countervailing charges on imports
   — export refunds

K. FRUIT AND VEGETABLES

1. basic prices and buying-in prices under Article 16 of Regulation (EEC) No 1035/72 [2], where used for determining the withdrawal price and buying-in prices
2. minimum buying-in prices under Article 2 (2) of Regulation (EEC) No 2601/69 [3],
3. financial compensation under Article 3 (1) of Regulation (EEC) No 2601/69
4. financial compensation under Article 8 of Regulation (EEC) No 2511/69 [4]
5. countervailing charge on importation
6. export refunds
7. accession compensatory amounts

L. TOBACCO

1. intervention price for leaf tobacco
2. derived intervention price for baled tobacco
3. premium granted to purchasers of leaf tobacco
4. export refunds

M. FLAX AND HEMP

Standard aid

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[1] OJ No L 269, 4. 10. 1974, p. 1.
[2] OJ No L 118, 20. 5. 1972, p. 1.
[3] OJ No L 324, 27. 12. 1969, p. 21.
[4] OJ No L 318, 18. 12. 1969, p. 1.

N. FISHERIES

Where used to determine financial compensation:

1. guide prices
2. withdrawal prices
3. standard values

O. SEEDS

Production subsidies

P. SILKWORMS

Standard aid

Q. COTTON

Standard aid

R. DEHYDRATED FODDER

Standard aid

ANNEX II

A. Amounts specified in the Council Directive of 17 April 1972 (1) on the modernization of agricultural holdings	Existing amount	To be replaced by
Article 8 (2)	40 000 u.a. per MWU	40 908 u.a. per MWU
Article 9 (2)	10 000 u.a.	10 227 u.a.
	40 000 u.a. per investment	40 908 u.a. per investment
Articles 1 and 10 of the Council Directive of 15 May 1973 (2)	45 u.a./ha	46 u.a./ha
	30 u.a./ha	31 u.a./ha
	15 u.a./ha	15·50 u.a./ha
	4 500 u.a./farm	4 602 u.a./farm
	3 000 u.a./farm	3 068 u.a./farm
	1 500 u.a./farm	1 534 u.a./farm
Article 11 (1)	450 u.a.	460 u.a.
Article 12	2 500 u.a.	2 557 u.a.
	7 500 u.a.	7 670 u.a.
B. In Article 9 of Regulation (EEC) No 1696/71 (3), and in Article 10 of Regulation (EEC) No 879/73 (4), the expression '1 500 units of account per hectare' is replaced by '1 534 units of account per hectare'.		

(1) OJ No L 96, 23. 4. 1972, p. 1.
(2) OJ No L 153, 9. 6. 1973, p. 24.
(3) OJ No L 175, 4. 8. 1971, p. 1.
(4) OJ No L 86, 31. 3. 1973, p. 26.