COMMISSION REGULATION (EEC) No 1017/76

of 30 April 1976

on a special detailed rule for the application, for the United Kingdom, of accession compensatory amounts 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 2770/75 of 29 October 1975 laying down general rules for the system of accession compensatory amounts for pigmeat (2), and in particular Article 8 (1),

Whereas Article 6 of the said Regulation provided that, in trade between the new Member States and third countries in products covered by Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat (3), as amended by Regulation (EEC) No 367/76 (4), the accession compensatory amounts are to be deducted from the levies or refunds; whereas, however, when the refund is lower than the compensatory amount or has not been fixed, then, when the product in question is exported to a third country provision may be made for the new Member State in question to levy an amount which may be equal to the accession compensatory amount applicable to the said product;

Whereas Article 8 (1) of Regulation (EEC) No 2770/75 provides that the detailed rules for the granting levy and recovery of the accession compensatory amounts shall be such as to prevent in particular deflection of trade;

Whereas no refund has been fixed for a number of products in the pigmeat sector; whereas for certain other products the refund is lower than the accession compensatory amount; whereas, however, when these products are imported into the United Kingdom from other Member States, they benefit from the granting of an accession compensatory amount; whereas this state of affairs can cause deflection of trade, whereas an amount equal to the accession compensatory amount applicable to such products should therefore be levied when they are exported from the United Kingdom to third countries;

(1) OJ No L 73, 27. 3. 1972, p. 5.
(2) OJ No L 282, 1. 11. 1975, p. 46.
(3) OJ No L 282, 1. 11. 1975, p. 1.
(4) OJ No L 45, 21. 2. 1976, p. 1.

Whereas this amount must be levied in accordance with certain provisions of Commission Regulation (EEC) No 645/75 of 13 March 1975 laying down common detailed rules for the application of the export levies and charges on agricultural products (5);

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

This Regulation shall apply to the products referred to in Article 1 (1) of Regulation (EEC) No 2759/75, except for those products listed in the Annex hereto.

Article 2

1. If an accession compensatory amount is fixed for a given product and if the refund has not been fixed or is lower than such compensatory amount, an amount equal to the accession compensatory amount or, as the case may be, the difference between the accession compensatory amount and the refund shall be levied in the United Kingdom when the said product is exported to a third country.

2. The levying of the amounts referred to in paragraph 1 shall be subject to the provisions of Articles 2, 3 (2) and (3), 4 and 5 of Regulation (EEC) No 645/75.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities.*

It shall apply to transactions for which customs export formalities are carried out from 1 May to 31 July 1976.

(5) OJ No L 67, 14. 3. 1975, p. 16.

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

Done at Brussels, 30 April 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

CCT heading No	Description of goods
16.01	Sausages and the like, of meat, offal or animal blood
16.02	Other prepared or preserved meat or meat offal :
	A. Liver :
	II. Other
	B. Other :
	III. Other :
	a) containing meat or offals of domestic swine