COMMISSION REGULATION (EEC) No 1801/76

of 23 July 1976

amending Regulation (EEC) No 851/76 fixing a countervailing charge for imports into Belgium, Germany, Luxembourg and the Netherlands of ethyl alcohol of agricultural origin produced in France

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 46 thereof,

Whereas Commission Regulation (EEC) No 851/76 of 9 April 1976 fixing a countervailing charge for imports into Belgium, Germany, Luxembourg and the Netherlands of ethyl alcohol of agricultural origin produced in France [1], introduced a countervailing charge to be levied on ethyl alcohol produced in France and marketed in the four importing countries involved, unless France applies that charge on exportation ; whereas this Regulation aims to ease the difficulties resulting from the aid granted by France for exports of alcohol ;

Whereas the purpose of the said Regulation will be jeopardized if French exports of the said alcohol is made through other Member States ; whereas Regulation (EEC) No 851/76 should therefore be amended to prevent any such deflection of trade ;

Whereas according to the criteria applied for the adoption of Regulation (EEC) No 851/76, the amount of the charge must not exceed either the amount of aid, or the difference between the resulting market prices in the Member States involved ; whereas the notification of 1 July 1976 from the German Government shows that the price on the German market has been reduced by DM 15 ; whereas the amount of the charge should therefore be adapted to take account of this change in one of the elements in its calculation ;

Whereas the market situation in the Benelux countries enables the charge applied in these countries to be kept at the same level as that in force in Germany,

HAS ADOPTED THIS REGULATION :

Article 1

Article 2 (1) of Regulation (EEC) No 851/76 is hereby amended as follows :

'1. The Kingdom of Belgium, the Federal Republic of Germany, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands shall levy a countervailing charge on products referred to in Article 1 produced in France, when entered for home use, unless France applies that charge at the time of export.

The products referred to in Article 1 shall be considered as having been produced in France unless it is established to the satisfaction of the competent authorities of the Member State entering the products for home use that they were produced elsewhere.'

Article 2

The Annex to Regulation (EEC) No 851/76 shall be replaced by the Annex to this Regulation.

Article 3

This Regulation shall enter into force so far as Article 1 is concerned on the seventh day following its publication in the *Official Journal of the European Communities* and so far as Article 2 is concerned on the third such day.

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

Done at Brussels, 23 July 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

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[1] OJ No L 96, 10. 4. 1976, p. 41.

ANNEX

Member State	Rate of charge per hl and per % alcohol
Belgium Luxembourg	Bfrs/Lfrs 5·025
Germany	DM 0·3264
France	FF 0·6013
Netherlands	Fl 0·3453