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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 38/76

of 12 January 1976

fixing the import levies on cereals and on wheat or rye flour groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals [1], as amended by Regulation (EEC) No 3058/75 [2], and in particular Article 13 (5) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 13 (1) of Regulation (EEC) No 2727/75 that a levy must be charged on imports of the products listed in Article 1 (a), (b) and (c) of that Regulation ; whereas the levy is equal for each product to the threshold price less the cif price ;

Whereas the threshold prices for cereals and for wheat and rye flour, and wheat groats and meal, were fixed for the 1975/76 marketing year by Regulations (EEC) No 1357/75 [3], (EEC) No 2734/75 [4], (EEC) No 2736/75 [5] and (EEC) No 2756/75 [6] ;

Whereas for the purpose of calculating the cif prices used to determine the levies, the Commission must take into account the factors indicated in Regulation No 156/67/EEC [7], as last amended by Regulation (EEC) No 31/76 [8], and in particular the most favourable purchasing opportunities on the world market among those which are most representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market ; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Regulations (EEC) No 2731/75 [9] and (EEC) No 2734/75, or whether adjustments need to be made by applying the coefficients of equivalence provided for in Regulation No 158/67/EEC [10] as last amended by Regulation (EEC) No 1637/71 [11], and in Regulation No 159/67/EEC [12] ;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned elements, offers for other ports being adjusted, account being taken of the corrections necessitated by the differences in transport charges in relation to Rotterdam ;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff ;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis :

— in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2·25 %, a rate of exchange based on their effective parity ;

(1) OJ No L 281, 1. 11. 1975, p. 1.
(2) OJ No L 306, 26. 11. 1975, p. 3.
(3) OJ No L 138, 29. 5. 1975, p. 18.
(4) OJ No L 281, 1. 11. 1975, p. 34.
(5) OJ No L 281, 1. 11. 1975, p. 45.
(6) OJ No L 281, 1. 11. 1975, p. 103.
(7) OJ No 128, 27. 6. 1967, p. 2533/67.
(8) OJ No L 5, 10. 1. 1976, p. 18.
(9) OJ No L 281, 1. 11. 1975, p. 22.
(10) OJ No 128, 27. 6. 1967, p. 2536/67.
(11) OJ No L 170, 29. 7. 1971, p. 20.
(12) OJ No 128, 27. 6. 1967, p. 2542/67.

— for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas, it follows from applying all the provisions of the abovementioned Regulations that the levies should be fixed as shown in the Annex to this Regulation ; whereas these levies should be altered only where variations in the components used to calculate them would have the effect of increasing or reducing them by 0·60 unit of account or more,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 are hereby fixed as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 13 January 1976.

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

Done at Brussels, 12 January 1976.

For the Commission

Carlo SCARASCIA MUGNOZZA

Vice-President

ANNEX

to the Commission Regulation of 12 January 1976 fixing the import levies on cereals and on wheat or rye flour groats and meal

(u.a./metric ton)

CCT heading No	Description of goods	Levies
10.01 A	Common wheat and meslin	36·71
10.01 B	Durum wheat	50·57 (1) (5)
10.02	Rye	53·23 (6)
10.03	Barley	26·52
10.04	Oats	16·32
10.05 B	Maize other than hybrid maize for sowing	35·54 (2) (3)
10.07 A	Buckwheat	2·53
10.07 B	Millet	23·66 (4)
10.07 C	Grain sorghum	32·93 (4)
10.07 D	Canary seed ; other cereals	0 (5)
11.01 A	Wheat or meslin flour	62·83
11.01 B	Rye flour	85·98
11.02 A I a	Durum wheat groats and meal	89·03
11.02 A I b	Common wheat groats and meal	67·01

(1) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0·50 u.a./metric ton.

(2) Where maize originated in the ACP or OCT is imported into the French overseas departments, the levy is reduced by 6 u.a./metric ton as provided for in Regulation (EEC) No 1599/75.

(3) Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1·50 u.a./metric ton.

(4) Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

(5) Where wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0·50 u.a./metric ton.

(6) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 2754/75 and Commission Regulation (EEC) No 2622/71.