# COMMISSION REGULATION (EEC) No 1372/77

## of 24 June 1977

## amending Regulation (EEC) No 937/77 as regards sugar exported pursuant to certain invitations to tender

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 878/77 of 26 April 1977 on the exchange rates to be applied in agriculture [1], and in particular Article 5 thereof,

Whereas Article 4 of Regulation (EEC) No 878/77 provides that, in the event of alterations to the representative rates and in so far as those alterations are disadvantageous to the party concerned, 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 alterations to the value of the unit of account used for the common agricultural policy [2], was to apply; whereas, however, the said Article 4 makes provision for the disadvantage to be offset by an appropriate measure;

Whereas as regards sugar the compensation was fixed by Article 2 of Commission Regulation (EEC) No 937/77 of 29 April 1977 laying down detailed rules for the application of Council Regulation (EEC) No 878/77 on the exchange rates to be applied in agriculture [3]; whereas that compensation relates to quantities of white sugar exported on or after 1 July 1977 in pursuance of partial invitations to tender under Regulation (EEC) No 2101/75 and for which an export licence was issued before 26 April 1977;

Whereas the provisions laid down in respect of the invitation to tender in question include the obligation for the successful tenderer to apply for an export licence within 10 days of the closure of the partial invitation to tender; whereas the last partial invitation to tender prior to 26 April 1977 closed on 20 April 1977; whereas it was not thus possible for licences qualifying for the compensation in question to be issued after 26 April 1977; whereas for that reason it is necessary to relate the final date for the issue of export licences to the partial invitation to tender which closed on 20 April 1977;

Whereas successful tenderers under the partial invitation to tender which closed on 20 April 1977 pursuant to Commission Regulation (EEC) No 2732/76 of 10 November 1976 on a standing invitation to tender for white sugar held by the German intervention agency and intended for export [4], as last amended by Regulation (EEC) No 703/77 [5], are in the same situation as the tenderers mentioned above; whereas they should therefore also be brought within the scope of Regulation (EEC) No 937/77;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

The first subparagraph of Article 2 (1) of Regulation (EEC) No 937/77 is amended to read as follows:

'1. The compensation referred to in the second subparagraph of Article 4 (2) of Regulation (EEC) No 878/77 shall be granted for white sugar in respect of which the customs export formalities are completed on or after 1 July 1977 on the basis of export licences issued in connection with awards made before 26 April 1977 under partial invitations to tender pursuant to Regulations (EEC) No 2101/75 and (EEC) No 2732/76.'

*Article 2*

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

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

Done at Brussels, 24 June 1977.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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[1] OJ No L 106, 29. 4. 1977, p. 27.
[2] OJ No L 188, 1. 8. 1968, p. 1.
[3] OJ No L 110, 30. 4. 1977, p. 1.
[4] OJ No L 310, 11. 11. 1976, p. 17.
[5] OJ No L 86, 2. 4. 1977, p. 5.