COMMISSION REGULATION (EEC) No 1971/77

of 31 August 1977

on transitional measures concerning the application of the monetary compensatory amounts in the milk and milk products sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States [1], as last amended by Regulation (EEC) No 557/76 [2], and in particular Article 6 thereof,

Whereas Commission Regulation (EEC) No 1824/77 of 4 August 1977 altering the monetary compensatory amounts applicable to milk and milk products [3] has changed the method for calculating monetary compensatory amounts for milk and milk products, thus leading in principle to a reduction in the monetary compensatory amounts for the products in question; whereas the monetary compensatory amounts for certain other products are at the same time discontinued; whereas these measures take effect on 5 September 1977;

Whereas these charges affect the terms of trade for the products concerned; whereas this could lead to speculation in certain products, resulting in deflections of trade;

Whereas in order to avoid such deflections it should be laid down that for a certain period the old monetary compensatory amounts are to remain applicable to exports and imports effected for the purpose of profiting from the new system;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from the Regulations fixing the monetary compensatory amounts, the amounts valid on 4 September 1977 in respect of milk products falling within heading No 04.04 and subheadings 04.02 A I, 17.02 A, 17.05 A, 23.07 B I a) 4, 23.07 B I b) 3 and 23.07 B II of the Common Customs Tariff shall remain applicable to:

(a) products exported from Member States whose currencies have depreciated unless proof is provided:

— that they were obtained in the exporting Member State, or

— that prior to export the customs formalities for importation into the exporting Member State were completed before 28 July or after 4 September 1977;

(b) products imported into Member States whose currencies have appreciated unless proof is provided:

— that they were obtained in a non-member country or in a Member State other than the importing Member State, or

— that prior to import the customs formalities for exportation from the importing Member State were completed before 28 July or after 4 September 1977.

2. Paragraph 1 shall apply to exports and imports in respect of which the customs formalities are completed before 5 December 1977.

3. The Member State responsible for levying the monetary compensatory amounts in question shall adopt the necessary control measures.

Article 2

This Regulation shall enter into force on 5 September 1977.

[1] OJ No L 106, 12. 5. 1971, p. 1.
[2] OJ No L 67, 15. 3. 1976, p. 1.
[3] OJ No L 203, 9. 8. 1977, p. 7.

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

Done at Brussels, 31 August 1977.

For the Commission

Finn GUNDELACH

Vice-President