COMMISSION REGULATION (EEC) No 2219/77

of 6 October 1977

making special provision for the application of accession compensatory amounts on certain milk products in trade with the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty of Accession [1],

Having regard to Council Regulation (EEC) No 233/73 of 31 January 1973 laying down general rules for the system of compensatory amounts for milk and milk products [2], and in particular Article 6 (1) thereof,

Whereas the last alignment of prices with effect from 1 January 1978 in pursuance of Article 52 (2) and (4) of the Act of Accession [3] will result in the discontinuance of the compensatory amounts laid down in Commission Regulation (EEC) No 918/77 of 29 April 1977 [4];

Whereas, because of the relatively high level of compensatory amounts currently applicable to certain dairy products in trade between the United Kingdom and the other Member States there is a risk of deflection of trade, as a result of speculative transactions, with regard to products imported into the United Kingdom before 1 January 1978 and to home-produced products which can be substituted for the said products;

Whereas in order to avoid such deflection it is necessary to provide that an amount equal to the compensatory amount currently in operation shall apply after 31 December 1977 in the case of exports from the United Kingdom where the product concerned cannot be shown to have been produced in or exported to the United Kingdom on or after 1 January 1978;

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. With regard to products falling within heading Nos 04.02, 04.03 and 04.04 of the Common Customs Tariff exported from the United Kingdom on or after 1 January 1978 to other Member States or to third countries, the United Kingdom shall charge an amount equal to the compensatory amount fixed in the Annex to Regulation (EEC) No 918/77.

2. However, paragraph 1 shall not apply to products in respect of which proof is furnished that, on or after 1 January 1978, they were:

(a) produced in the United Kingdom, or

(b) exported from other Member States to the United Kingdom on or after 1 January 1978.

3. The United Kingdom shall take the necessary measures with regard to the documents to be produced as evidence for the purposes of paragraph 2. Such measures shall include a provision for the verification of such documents.

Article 2

With regard to products falling within heading Nos 04.02, 04.03 and 04.04 of the Common Customs Tariff exported from the United Kingdom before 1 January 1978 and imported into another Member State on or after that date, the United Kingdom shall charge an amount equal to the compensatory amount fixed in the Annex to Regulation (EEC) No 918/77.

Article 3

The day to be regarded as the operative date in determining the date of exportation shall be the day on which the customs accept the document in which the declarant states his intention to export a product.

Article 4

This Regulation shall enter into force on 1 January 1978.

It shall apply until 30 June 1978.

[1] OJ No L 73, 27. 3. 1972, p. 5.
[2] OJ No L 28, 1. 2. 1973, p. 37.
[3] OJ No L 73, 27. 3. 1972, p. 14.
[4] OJ No L 116, 7. 5. 1977, p. 23.

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

Done at Brussels, 6 October 1977.

For the Commission

Finn GUNDELACH

Vice-President