COUNCIL REGULATION (EEC) No 2255/77

of 11 October 1977

on the transfer to the Italian intervention agency of common wheat held by the German intervention agency and on the conditions for bringing such wheat back onto the market

THE COUNCIL 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 last amended by Regulation (EEC) No 1386/77 (2), and in particular Article 7 (4) thereof,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy (3), as last amended by Regulation (EEC) No 2788/72 (4), and in particular Article 3 (2) thereof,

Having regard to Council Regulation (EEC) No 2738/75 of 29 October 1975 laying down general rules for intervention on the market in cereals (5), and in particular Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas the Italian market in common wheat is experiencing supply difficulties; whereas a significant reduction in winter sowings of wheat has been recorded in that country and persistent rain during the sowing period has jeopardized part of the crop; whereas, therefore, there has been a substantial increase in the shortage of that cereal;

Whereas, in order to deal with this situation, a part of the common wheat of bread-making quality which is still available in intervention in the rest of the Community should be made available to the Italian intervention agency;

Whereas detailed rules should later be laid down for taking over the product and for transferring responsibility for it;

Whereas provisions covering the accounting side of this operation should be aligned on the arrangements laid down in Council Regulation (EEC) No 787/69 of 22 April 1969 on the financing of intervention expenditure in respect of the domestic market in cereals and in rice (6), as last amended by Regulation (EEC) No 330/74 (7);

Whereas such measures imply that the Guarantee Section of the European Agricultural Guidance and Guarantee Fund should bear the cost of transport,

HAS ADOPTED THIS REGULATION:

Article 1

1. 200 000 tonnes of common wheat of bread-making quality held by the German intervention agency shall be held at the disposal of the Italian intervention agency, which shall take delivery thereof before 1 January 1978 and shall ensure transportation to Italy before 1 March 1978.

This product must meet the requirements of Regulation (EEC) No 1155/77 (8).

2. Commission Regulation (EEC) No 376/70 of 27 February 1970 laying down the procedure and conditions for the disposal of cereals held by intervention agencies (9), as last amended by Regulation (EEC) No 1687/76 (10), shall apply to the resale of the cereals product referred to in paragraph 1; the reference price shall however be substituted for the intervention price.

3. The delivery and transport operations shall be assigned by tender. The mobilization must be carried out on the best conditions of transfer.

4. The detailed rules for the application of this Regulation, and in particular the rules concerning the delivery and transport of the product in question, shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75.

Article 2

1. The German intervention agency shall, by 31 December 1977 at the latest, enter the quantities transferred, as a zero debit, in the account referred to in Article 3 (1) of Regulation (EEC) No 787/69.

(1) OJ No L 281, 1. 11. 1975, p. 1.
(2) OJ No L 158, 29. 6. 1977, p. 1.
(3) OJ No L 94, 28. 4. 1970, p. 13.
(4) OJ No L 295, 30. 12. 1972, p. 1.
(5) OJ No L 281, 1. 11. 1975, p. 49.
(6) OJ No L 105, 2. 5. 1969, p. 4.
(7) OJ No L 37, 9. 2. 1974, p. 5.
(8) OJ No L 136, 2. 6. 1977, p. 10.
(9) OJ No L 47, 28. 2. 1970, p. 49.
(10) OJ No L 190, 14. 7. 1976, p. 1.

2. The Italian intervention agency shall, by 31 December 1977 at the latest, enter the quantities delivered to it as a zero credit in the account referred to in paragraph 1.

3. The costs of transporting the quantities transferred shall be entered in the account referred to in paragraph 1.

4. Where necessary, the detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 3

This Regulation shall enter into force on the third 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 Luxembourg, 11 October 1977.

For the Council

The President

A. HUMBLET