COMMISSION REGULATION (EEC) No 2794/77

of 15 December 1977

amending Regulation (EEC) No 2219/77 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 Act of Accession,

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

Whereas Commission Regulation (EEC) No 385/73 of 19 January 1973 on the methods of administrative cooperation to safeguard, during the transitional period, the free movement of goods in trade between the Community as originally constituted and the new Member States and in trade between the new Member States themselves [2], provides that goods in free circulation in the new Member States shall be dispatched on a T 3, T 3 L or a document treated as equivalent when dispatched to another Member State ;

Whereas that Regulation also provides that goods dispatched from the Community as originally constituted shall be dispatched on such a document if the goods have been the subject of customs export formalities with a view to obtaining compensatory amounts ; whereas Commission Regulation (EEC) No 1460/77 of 29 June 1977 on detailed rules for the application of Regulation (EEC) No 385/73 [3], lays down that Regulation (EEC) No 385/73 shall continue to apply after 30 June 1977 in respect of products subject to the system of compensatory amounts and certain other products ;

Whereas Commission Regulation (EEC) No 269/73 of 31 January 1973 laying down detailed rules for the application of the system of 'Accession' compensatory amounts [4], as last amended by Regulation (EEC) No 1234/77 [5], provides that the applicable transit document shall indicate the Member State of dispatch and the Member State of destination ;

Whereas the Regulations quoted make it possible to distinguish during the transitional period products at different price levels ; whereas only those products at the United Kingdom price level should be subject to special provisions ; whereas 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 [6] should be completed by the addition of detailed rules in this respect ;

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

Regulation (EEC) No 2219/77 is hereby amended as follows :

1. In Article 1 (2) the following text shall be added :

'or

(c) imported into the United Kingdom from third countries'.

2. Articles 2 and 3 shall be replaced by the following Articles :

'*Article 2*

1. The Member States other than the United Kingdom shall with regard to the products mentioned in Article 1 which are or have been accompanied by an internal Community transit document T 3 or T 3 L indicating that the Member State of departure or destination is the United Kingdom and which have not been released for

(1) OJ No L 28, 1. 2. 1973, p. 37.
(2) OJ No L 42, 14. 2. 1973, p. 1.
(3) OJ No L 161, 1. 7. 1977, p. 68.
(4) OJ No L 30, 1. 2. 1973, p. 73.
(5) OJ No L 143, 10. 6. 1977, p. 9.
(6) OJ No L 256, 7. 10. 1977, p. 19.

home use charge an amount equal to the accession compensatory amount fixed in the Annex to Regulation (EEC) No 918/77 when these products are

(a) released for home use ;

(b) redispatched to another Member State, under an internal Community transit document issued in the redispatching Member State ; or

(c) re-exported to a third country

2. The Member States referred to in paragraph 1 shall take the necessary measures to ensure that in cases of movements within the territory of a single Member State of the products concerned, such products will remain subject to the provisions of paragraph 1.

Article 3

1. Article 1 (1) shall apply to products taken from the home market and also to the products which are or have been accompanied by an internal Community transit document T 3 or T 3 L indicating that the Member State of departure or destination is the United Kingdom and which have not been released for home use in the United Kingdom.

2. The day of exportation, re-exportation or redispatching shall be the day on which the customs accept the document in which the declarant states his intention to export, re-export or redispatch a product. The day of release for home use shall be the day on which the customs accept the entry in which a product is declared as being released for home use.

3. For the purposes of this Regulation the "compensatory amount fixed in the Annex to Regulation (EEC) No 918/77" means the amount fixed for trade between the United Kingdom and the Community as originally constituted.

4. The amounts collected pursuant to this Regulation shall be deducted from the EAGGF expenditures — Guarantee Section, for accession compensatory amounts'.

Article 2

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 15 December 1977.

For the Commission

Finn GUNDELACH

Vice-President