COMMISSION REGULATION (EEC) No 441/77

of 2 March 1977

amending for the third time Regulation (EEC) No 851/76 fixing a countervailing charge on imports into Belgium, Germany, Luxembourg and the Netherlands of ethyl alcohol of agricultural origin produced in France

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 46 thereof,

Whereas Commission Regulation (EEC) No 851/76 of 9 April 1976 fixing a countervailing charge on imports into Belgium, Germany, Luxembourg and the Netherlands of ethyl alcohol of agricultural origin produced in France [1], as last amended by Regulation (EEC) No 1987/76 [2], introduced a countervailing charge which is applied when the alcohol is entered for home use in the four importing countries concerned, unless France applies the charge at the time of export ; whereas the purpose of the Regulation is to ease the difficulties resulting from the aid granted by France for exports of alcohol ;

Whereas under Article 5 (2) of Regulation (EEC) No 851/76 the Commission keeps a constant watch over the development of trade in the products in question and adjusts the rate of the countervailing charge as necessary in the light of the factors taken into consideration for the fixing thereof ;

Whereas, since Regulation (EEC) No 851/76 was last amended, monetary events have made it necessary to adjust the rate of the countervailing charge ;

Whereas alcohol produced from cereals in France is sold for export at a higher price than that of other exported alcohol ; whereas in the circumstances a reduced countervailing charge should be applied to this product ; whereas to ensure that the system introduced by Regulation (EEC) No 851/76 is properly applied, provisions should be made for France to introduce suitable control measures to be applied at the time of the manufacture and dispatch of the alcohol concerned,

HAS ADOPTED THIS REGULATION :

Article 1

The following paragraph 3 is hereby added to Article 2 of Regulation (EEC) No 851/76 :

'3. The competent French authorities shall take the necessary measures to control the manufacture and dispatch of ethyl alcohol obtained from cereals and shall inform the Commission and other Member States thereof, the authorities shall in particular ensure that the words "alcool éthylique obtenu à partir de céréales" (ethyl alcohol obtained from cereals) together with the tariff subheading ex 22.08 B or ex 22.09 A II, as appropriate, are entered in the space "description of goods" of the document which certifies the Community origin of the product and that these particulars are authenticated by the stamp of the French customs office issuing the said document.

The reduced countervailing charge on ethyl alcohol obtained from cereals shall ~~be applied, in~~ the Member State where it is entered for home use referred to in paragraph 1, only on presentation of the document referred to in the previous subparagraph bearing the abovementioned endorsements.'

Article 2

The Annex to Regulation (EEC) No 851/76 is hereby replaced by the Annex hereto.

Article 3

This Regulation shall enter into force on the seventh 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, 2 March 1977.

For the Commission

Finn GUNDELACH

Vice-President

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[1] OJ No L 96, 10. 4. 1976, p. 41.
[2] OJ No L 218, 11. 8. 1976, p. 8.

ANNEX

Member State	Rate of charge per hl and per degree of alcohol			
	Ethyl alcohol obtained from cereals		Other alcohol of agricultural origin	
Belgium/Luxembourg	Bfrs/Lfrs	1·1127	Bfrs/Lfrs	6·393
Germany	DM	0·0724	DM	0·4162
France	FF	0·1513	FF	0·8693
Netherlands	FL	0·0755	Fl	0·4341