COMMISSION REGULATION (EEC) No 919/77

of 29 April 1977

making special provision to cover the transition from the 1976/77 to the 1977/78 milk year as regards the levying of accession compensatory amounts on butter 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 804/68 of 27 June 1968 on the common organization of the market in milk and milk products (2), as last amended by Regulation (EEC) No 559/76 (3), and in particular Article 5a thereof,

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 (4), and in particular Article 6 (1) thereof,

Whereas the alignment with effect from the start of the 1977/78 marketing year of butter prices in the United Kingdom, in pursuance of Article 52 (2) of the Treaty of Accession (5), will lead to a modification of the compensatory amounts laid down in Commission Regulation (EEC) No 2199/76 of 8 September 1976 (6);

Whereas in view of the marked reduction in the compensatory amounts applicable to butter 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;

Whereas in order to avoid such deflection it is advisable to provide that the compensatory amounts currently in operation should continue to apply after the beginning of the 1977/78 milk year in the case of exports from the United Kingdom in respect of which it is not established that the product concerned was produced in or exported to the United Kingdom after the beginning of the new milk year;

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 No 04.03 of the Common Customs Tariff, exported from the United Kingdom after the beginning of the 1977/78 milk year:

(a) the compensatory amounts fixed in the Annex to Regulation (EEC) No 2199/76 will remain applicable in respect of exports to third countries,

(b) without prejudice to the compensatory amounts in force for the 1977/78 milk year, the United Kingdom shall charge, on exports to other Member States, an amount equal to the difference between the compensatory amount fixed in the Annex to Regulation (EEC) No 2199/76 and that which is applicable under the terms of the Regulation fixing the accession compensatory amounts for the period 1 May to 31 December 1977.

2. However, paragraph 1 shall not apply to products in respect of which proof is furnished that they were, on or after 1 May 1977:

(a) produced in the United Kingdom, or

(b) exported to the United Kingdom within the meaning of Article 4 of Commission Regulation (EEC) No 269/73 of 31 January 1973 laying down detailed rules for the application of the system of accession compensatory amounts (7), as last amended by Regulation (EEC) No 121/75 (8).

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

Article 2

1. With regard to products falling within heading No 04.03 of the Common Customs Tariff, exported from the United Kingdom before 1 May 1977 and imported in another Member State from that date, this Member State shall charge without prejudice to the compensatory amounts in force for the 1977/78 milk year, an amount equal to the difference between the compensatory amount fixed in the Annex to Regula-

(1) OJ No L 73, 27. 3. 1972, p. 5.
(2) OJ No L 148, 28. 6. 1968, p. 13.
(3) OJ No L 67, 15. 3. 1976, p. 9.
(4) OJ No L 28, 1. 2. 1973, p. 37.
(5) OJ No L 73, 27. 3. 1972, p. 14.
(6) OJ No L 247, 9. 9. 1976, p. 15.
(7) OJ No L 30, 1. 2. 1973, p. 73.
(8) OJ No L 13, 18. 1. 1975, p. 23.

tion (EEC) No 2199/76 and that which is applicable under the terms of the Regulation fixing the accession compensatory amounts for the period 1 May to 31 December 1977.

2. However, paragraph 1 shall not apply to products in respect of which proof is furnished that they have been made in the United Kingdom.

Article 3

This Regulation shall enter into force on 1 May 1977.

It shall apply until 30 September 1977.

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

Done at Brussels, 29 April 1977.

For the Commission

Finn GUNDELACH

Vice-President