# COUNCIL REGULATION (EEC) No 1258/78

## of 12 June 1978

## fixing a carry-over payment for common wheat, rye and maize remaining in stock at the end of the 1977/78 marketing year

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 1254/78 [2], and in particular Article 9 (1) and (5) thereof,

Having regard to the proposal from the Commission,

Whereas one of the purposes of the carry-over payment provided for in Article 9 (1) of Regulation (EEC) No 2727/75 is to prevent a massive inflow to intervention of cereals, much of which could be disposed of on the market before the new harvest, at the moment when the monthly intervention price increases end; whereas the market situation for common wheat throughout the Community and that for rye in certain regions of the Community are such that a carry-over payment should be given for these cereals;

Whereas there is a likelihood in certain regions of quantities of maize being offered for intervention although a deficit exists for the Community as a whole; whereas a carry-over payment should therefore also be given for this cereal; whereas, since the marketing of a crop normally extends beyond the end of the marketing year, the granting of a carry-over payment helps to prevent the large quantities normally in stock at the end of the marketing year going to intervention during its last few months;

Whereas the amount of the carry-over payment should be the difference between the target prices, in national currency, valid on 31 July and 1 August 1978; whereas, where the calculation gives a negative amount, the payment should be counted as nil;

Whereas the carry-over payment cannot be given for cereals harvested in the Community during 1978, as their cost has not been increased by any storage element; whereas, in view of the connection between the intervention and the carry-over payment systems, the latter should be given only for cereals which are of sound, genuine and merchantable quality, within the meaning of the provisions adopted in the implementation of Article 7 (5) of Regulation (EEC) No 2727/75,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. A carry-over payment shall be granted for common wheat and rye of bread-making quality, harvested and in store in the Community at the end of the 1977/78 marketing year.

2. A carry-over payment shall also be granted for maize in store in surplus production areas at the end of the 1977/78 marketing year.

3. The carry-over payment shall be equal to the difference between the target price, in national currency, applicable in the last month of the 1977/78 marketing year and that applicable, in national currency, in the first month of the 1978/79 marketing year. Where the calculation gives a negative amount the payment shall be counted as nil.

*Article 2*

The carry-over payments referred to in Article 1 (1) and (2) shall not be made for cereals from the 1978 harvest or for cereals which do not fulfil the quality conditions necessary for intervention during the 1977/78 marketing year.

*Article 3*

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities.*

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[1] OJ No L 181, 1. 11. 1975, p. 1.
[2] See page 1 of this Official Journal.

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

Done at Luxembourg, 12 June 1978.

*For the Council*

*The President*

K. OLESEN