COMMISSION REGULATION (EEC) No 1838/78

of 27 July 1978

fixing adjustments to monetary compensatory amounts for cereals fixed in advance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States (1), as last amended by Regulation (EEC) No 557/76 (2), and in particular Article 6 thereof,

Whereas under the first indent of Article 7 (2) of Commission Regulation (EEC) No 243/78 of 1 February 1978 providing for the advance fixing of monetary compensatory amounts (3), as amended by Regulation (EEC) No 1544/78 (4), and Article 2 (1) of Commission Regulation (EEC) No 1516/78 of 30 June 1978 on adjustments to monetary compensatory amounts fixed in advance and repealing Regulation (EEC) No 651/78 (5) an adjustment of the monetary compensatory amounts applicable to cereals is made corresponding to the adjustments made to refunds and levies fixed in advance following a change in the price level in units of account ;

Whereas levies and refunds on cereals fixed in advance must be adjusted, in accordance with Articles 15 (2) and 16 (4) of Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (6), as last amended by Regulation (EEC) No 1254/78 (7), in line with the threshold price applying during the month of importation or exportation ; whereas, however, by Article 2 (2) of Regulation (EEC) No 1516/78 the application of monthly increases is not considered, for the purposes of adjustment of compensatory amounts, as an adjustment of levies and refunds fixed in advance ; whereas as a result no adjustment of a compensatory amount fixed in advance under Article 7 (2) of Regulation (EEC) No 243/78 may be made for durum wheat, except for groats and meal of durum wheat and for rye, for which the threshold prices are unchanged for the 1978/79 marketing year ;

(1) OJ No L 106, 12. 5. 1971, p. 1.
(2) OJ No L 67, 15. 3. 1976, p. 1.
(3) OJ No L 37, 7. 2. 1978, p. 5.
(4) OJ No L 182, 5. 7. 1978, p. 7.
(5) OJ No L 178, 1. 7. 1978, p. 63.
(6) OJ No L 281, 1. 11. 1975, p. 1.
(7) OJ No L 156, 15. 6. 1978, p. 1.

Whereas the last subparagraph of Article 16 (4) of Regulation (EEC) No 2727/75 provides for an adjustment to refunds fixed in advance for malt to be exported during the first two months of the new marketing year ; whereas this adjustment is made only on the basis of the monthly increases ; whereas as a result no adjustment can be made under Article 7 (2) of Regulation (EEC) No 243/78 to monetary compensatory amounts fixed in advance for exports of malt falling within subheadings 11.07 A II a), 11.07 A II b) and 11.07 B made during August and September 1978 ;

Whereas, under Article 3 (1) of Regulation (EEC) No 1516/78, the adjustment provided for in the said Article 7 (2) must be made on the basis of the price used to calculate the monetary compensatory amount and the representative rate that are valid at the time of completion of the customs import or export formalities ;

Whereas the milk component of monetary compensatory amounts applicable from 22 May 1978 to products falling within subheading 23.07 B has been calculated from the new intervention price for skimmed-milk powder and the new representative rates ; whereas only the cereal component of monetary compensatory amounts fixed in advance from that date onwards should consequently be adjusted ; whereas for the sake of simplicity, the cereal adjustment coefficient alone should be applied to prefixations made before 22 May 1978 for products falling within subheading 23.07 B that contain milk products ;

Whereas Article 3 (2) of Regulation (EEC) No 1516/78 specifies that the adjustment under Article 7 (1) of Regulation (EEC) No 243/78 shall be altered when there is an adjustment under Article 7 (2) of Regulation (EEC) No 243/78 ;

Whereas the monetary compensatory amounts fixed in advance which are adjusted by this Regulation were fixed by Regulation (EEC) No 938/77 (8), as last amended by Regulation (EEC) No 1058/78 (9), and Regulation (EEC) No 1036/78 (10), as last amended by Regulation (EEC) No 1813/78 (11) ;

(8) OJ No L 110, 30. 4. 1977, p. 6.
(9) OJ No L 134, 22. 5. 1978, p. 49.
(10) OJ No L 133, 22. 5. 1978, p. 1.
(11) OJ No L 209, 1. 8. 1978, p. 1.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION :

Article 1

1. Monetary compensatory amounts referred to in each Annex I to Regulations (EEC) No 938/77 and (EEC) No 1036/78 which have been fixed in advance before 1 August 1978 for cereal products, being imported from or exported to third countries for which the customs formalities have been completed on or after 1 August 1978, shall be multiplied by the corresponding coefficients listed in the Annex to this Regulation.

2. Where paragraph 1 applies, the coefficients listed in each Annex IV to Regulations (EEC) No 938/77 and (EEC) No 1036/78 shall not be applied.

Article 2

This Regulation shall enter into force on 1 August 1978.

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

Done at Brussels, 31 July 1978.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Adjustments to be made in accordance with the first indent of Article 7 (2) of Regulation (EEC) No 243/78 to compensatory amounts fixed in advance in the cereals sector

Member States	Monetary compensatory amounts fixed during the period	Coefficients to be applied to products shown in notes on page 56							
		under (a)	under (b)	under (c)	under (d)	under (e)	under (f)	under (g)	under (h)
Germany	3. 4. — 31. 7. 1978	0·966799	0·988214	0·957129	0·969166	0·985835	0·969062	0·969032	0·973572
Italy	3. 4. — 21. 5. 1978	0·537671	0·549580	0·532293	0·538987	0·548257	0·538929	0·538912	0·541438
	22. 5. — 9. 7. 1978	0·513164	0·524530	0·508031	0·514420	0·523268	0·514364	0·514349	0·516759
	10. 7. — 31. 7. 1978	0·489128	0·499962	0·484236	0·490326	0·498759	0·490273	0·490258	0·492555
Great Britain	3. 4. — 9. 4. 1978	0·775569	0·792748	0·767812	0·777468	0·790840	0·777384	0·777360	0·781003
	10. 4. — 21. 5. 1978	0·801897	0·819659	0·793876	0·803860	0·817686	0·803773	0·803749	0·807515
	22. 5. — 9. 7. 1978	0·793409	0·810983	0·785473	0·795351	0·809031	0·795265	0·795241	0·798967
	10. 7. — 23. 7. 1978	0·785061	0·802450	0·777209	0·786983	0·800519	0·786898	0·786874	0·790561
	24. 7. — 30. 7. 1978	0·776944	0·794153	0·769172	0·778846	0·792241	0·778762	0·778738	0·782387
	31. 7. 1978	0·767268	0·784263	0·759593	0·769146	0·782375	0·769063	0·769040	0·772643
Ireland	3. 4. — 9. 4. 1978	0·062294	0·063673	0·061671	0·062446	0·063520	0·062439	0·062437	0·062730
	10. 4. — 21. 5. 1978	0·391668	0·400344	0·387751	0·392627	0·399380	0·392585	0·392573	0·394412
	22. 5. — 9. 7. 1978	0·320086	0·327176	0·316885	0·320870	0·326389	0·320835	0·320825	0·322329
	10. 7. — 23. 7. 1978	0·230267	0·235367	0·227964	0·230831	0·234801	0·230806	0·230799	0·231880
	24. 7. — 31. 7. 1978	0	0	0	0	0	0	0	0
France	3. 4. — 9. 4. 1978	0·814368	0·832407	0·806223	0·816362	0·830403	0·816274	0·816249	0·820074
	10. 4. — 23. 4. 1978	0·782784	0·800122	0·774954	0·784700	0·798196	0·784615	0·784591	0·788268
	24. 4. — 14. 5. 1978	0·772767	0·789884	0·765038	0·774659	0·787983	0·774576	0·774552	0·778181
	15. 5. — 21. 5. 1978	0·755570	0·772306	0·748013	0·757420	0·770447	0·757338	0·757315	0·760864
	22. 5. — 2. 7. 1978	0·742206	0·758645	0·734782	0·744023	0·756819	0·743942	0·743920	0·747405
	3. 7. — 9. 7. 1978	0·727219	0·743326	0·719945	0·728999	0·741537	0·728920	0·728898	0·732313
	10. 7. — 30. 7. 1978	0·686807	0·702019	0·679937	0·688488	0·700329	0·688414	0·688393	0·691618
	31. 7. 1978	0·659739	0·674352	0·653140	0·661355	0·672729	0·661283	0·661263	0·664361
Belgium, Luxembourg, Netherlands	3. 4. — 31. 7. 1978	1·010104	1·032477	—	1·012577	1·029992	1·012468	1·012437	1·017180

Notes

(a) 10.01 A, 11.01 A, 11.02 A I b), 11.02 B II a), 11.02 C I, 11.02 D I, 11.02 E II a), 11.02 F I, 11.02 G I, 11.07 A I a), 11.07 A I b);

(b) 11.08 A III, 11.09;

(c) 11.02 A I a);

(d) 10.03, 11.01 C, 11.02 A III, 11.02 B I a) 1, 11.02 B I b) 1, 11.02 C III, 11.02 D III, 11.02 E I a) 1, 11.02 E I b) 1, 11.02 F III, 11.04 C I, 11.07 A II a), 11.07 A II b), 11.07 B.

However the coefficients specified in this Regulation shall not be applied to products falling within subheadings 11.07 A II a), 11.07 A II b) and 11.07 B exported during August and September 1978 under the arrangements specified in the last subparagraph of Article 16 (4) of Regulation (EEC) No 2727/75;

(e) 10.05 B, 11.01 E I, 11.01 E II, 11.02 V a) 1, 11.02 V a) 2, 11.02 V b), 11.02 B II c), 11.02 C V, 11.02 D V, 11.02 E II c), 11.02 F V, 11.02 G II, 11.04 C II a), 11.04 C II b), 11.08 A I, 11.08 A IV, 11.08 A V, 17.02 B II a), 17.02 B II b), 21.07 F II, 23.03 A I, 23.07 B I a) 1, 23.07 B I a) 2, 23.07 B I b) 1, 23.07 B I b) 2, 23.07 B I c) 1, 23.07 B I c) 2.

The coefficients specified in this Regulation shall be applied only to the cereal component of monetary compensatory amounts on products falling within subheadings 23.07 B I a) 2, 23.07 B I b) 2 and 23.07 B I c) 2 fixed in advance on or after 22 May 1978;

(f) 10.04, 11.01 D, 11.02 A IV, 11.02 B I a) 2 aa), 11.02 B I a) 2 bb), 11.02 B I b) 2, 11.02 C IV, 11.02 D IV, 11.02 E I a) 2, 11.02 E I b) 2, 11.02 F IV;

(g) 10.07 B, 10.07 C, ex 11.01 G (1), ex 11.01 G (2), ex 11.02 A VII (1), ex 11.02 A VII (2), ex 11.02 B II d) (1), ex 11.02 B II d) (2), ex 11.02 C VI (1), ex 11.02 C VI (2), ex 11.02 D VI (1), ex 11.02 D VI (2), ex 11.02 E II d) 2 (1), ex 11.02 E II d) 2 (2), ex 11.02 F VII (1), ex 11.02 F VII (2);

(h) 23.02 A I a), 23.02 A I b), 23.02 A II a), 23.02 A II b).