COMMISSION REGULATION (EEC) No 707/79

of 9 April 1979

amending Regulation (EEC) No 1054/78 following the fixing of new exchange rates to be applied in France, Ireland, Italy and the United Kingdom in agriculture

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 878/77 of 26 April 1977 in the exchange rates to be applied in agriculture [1], as last amended by Regulation (EEC) No 705/79 [2], and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 1054/78 of 19 May 1978 laying down detailed rules for the application of Council Regulation (EEC) No 878/77 on the exchange rates to be applied in agriculture and repealing Regulation (EEC) No 937/77 [3], as last amended by Regulation (EEC) No 2426/78 [4], provided in Article 2 (2) that the provisions of the last subparagraph of Article 4 (1) of Council Regulation (EEC) No 1134/68 of 30 July 1968 laying down rules for the implementation of Regulation (EEC) No 653/68 on conditions for alterations to the value of the unit of account used for the common agricultural policy [5], should only apply to advance fixing certificates issued before 12 May 1978 with respect to the representative rates fixed by Regulation (EEC) No 976/78 [6];

Whereas Regulations (EEC) No 643/79 [7] and (EEC) No 705/79 amended Article 2a of Regulation (EEC) No 878/77 to take account of the new representative rates fixed for the French franc, the Irish pound, the pound sterling and the Italian lira with effect from 9 April 1979; whereas an addition therefore needs to be made to Regulation (EEC) No 1054/78; whereas it also seems possible to take better account of the special circumstances in cases where the levy or refund is fixed in advance by tender;

Whereas provision should be made for different dates for entry into force in the wine sector from those generally provided for, as has been done in the past for certain distillation measures;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (2) of Regulation (EEC) No 1054/78 is hereby replaced by the following paragraphs:

'2. The provisions of the last subparagraph of Article 4 (1) of Regulation (EEC) No 1134/68 shall apply only to advance fixing certificates issued within the meaning of Article 9 (1) of Commission Regulation (EEC) No 193/75 [1]:

— before 12 May 1978 with regard to the representative rates referred to in Article 2a (1) (c), (d), (e) and (f) of Regulation (EEC) No 878/77 for the products and Member States in question and as from the dates given in paragraph 2 of that Article,

— before 12 May 1978 with regard to the representative rate one French franc = 0·154856 unit of account with effect from 17 May 1978 for the pigmeat sector in France,

— before 30 March 1979 with regard to the representative rates fixed by Regulation (EEC) No 643/79 [2], and referred to in Article 2a (3) to (6) of Regulation (EEC) No 878/77 for the products and the Member States in question and with effect from the dates there given.

3. In cases where the levy or refund is fixed in advance by tender, for the purposes of this Article, the last day for tenders shall be considered as the day of application for the certificate in question.

Article 2

The following paragraph shall be added to Article 3 of Regulation (EEC) No 1054/78:

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(1) OJ No L 106, 29. 4. 1977, p. 27.
(2) See page 1 of this Official Journal.
(3) OJ No L 134, 22. 5. 1978, p. 40.
(4) OJ No L 293, 19. 10. 1978, p. 11.
(5) OJ No L 188, 1. 8. 1968, p. 1.
(6) OJ No L 125, 13. 5. 1978, p. 32.
(7) OJ No L 83, 3. 4. 1979, p. 1.

(1) OJ No L 25, 31. 1. 1975, p. 10.
(2) OJ No L 83, 3. 4. 1979, p. 1.'

'3. With regard to the purchase prices and the other amounts referred to in paragraph 1, the representative rates referred to in Article 2a of Regulation (EEC) No 878/77 :

— in paragraphs 3 (a) 4 and 5 shall apply as from 1 September 1979,

— in paragraph 3 (b) shall apply as from 1 September 1980.

The representative rates for the French franc and the Italian lira fixed in Regulations (EEC) No 643/79 and (EEC) No 705/79 and pursuant to Article 2a (3) (a) and the first subparagraph of Article 2a (4) of Regulation (EEC) No 878/77 applicable to the wine sector from 9 April 1979 shall not apply to distillation operations decided on before 9 April 1979.'

Article 3

This Regulation shall enter into force on 9 April 1979.

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

Done at Brussels, 9 April 1979.

For the Commission

Finn GUNDELACH

Vice-President