COMMISSION REGULATION (EEC) No 377/80

of 15 February 1980

amending Regulation (EEC) No 2140/79 as regards the application of monetary compensatory amounts in the cereals sector

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 987/79 (2), and in particular Article 6 thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 were fixed by Commission Regulation (EEC) No 2140/79 (3), as last amended by Regulation (EEC) No 318/80 (4);

Whereas the monetary compensatory amounts applicable to products falling within tariff subheadings 11.08 A I, 11.08 A III, 11.08 A IV and 11.08 A V have been fixed without any indication of the content by weight of starch ; whereas they also apply, therefore, to a liquid product ;

Whereas the monetary compensatory amounts as fixed must apply to products reflecting the usual trade requirements ; whereas it is therefore justified to reduce them in respect of products which do not comply with these requirements ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Part 1 of Annex I to Regulation (EEC) No 2140/79 is hereby amended as follows :

1. The following footnote (3) is inserted after products falling within tariff subheadings 11.08 A I, 11.08 A III and 11.08 A V :

   '(3) The monetary compensatory amount shall apply to products whose starch content is not less than 85 % by weight. For products with a starch content lower than 85 % by weight, this compensatory amount shall be multiplied by a coefficient calculated by means of the following formula :

   $$C = \frac{a}{1\,000} \times 1{\cdot}176$$

   (C = coefficient ; a = content by weight of starch, expressed as dry matter, per 1 000 kg of the product).

   When completing the customs formalities, the applicant must state in the declaration provided for this purpose the content by weight of starch, expressed as dry matter, per 1 000 kg of the product.'

2. The following footnote (4) is inserted after the product falling within tariff subheading 11.08 A IV :

   '(4) The monetary compensatory amount shall apply to the product whose starch content is not less than 78 % by weight. For the product with a starch content lower than 78 % by weight, this compensatory amount shall be multiplied by a coefficient calculated by means of the following formula :

   $$C = \frac{a}{1\,000} \times 1{\cdot}282$$

   (C = coefficient ; a = content by weight of starch, expressed as dry matter, per 1 000 kg of the product).

   When completing the customs formalities, the applicant must state in the declaration provided for this purpose the content by weight of starch, expressed as dry matter, per 1 000 kg of the product.'

3. Footnote (3) becomes (5), footnote (4) becomes (6) and footnote (5) becomes (7).

Article 2

This Regulation shall enter into force on 15 March 1980.

(1) OJ No L 106, 12. 5. 1971, p. 1.
(2) OJ No L 123, 19. 5. 1979, p. 9.
(3) OJ No L 247, 1. 10. 1979, p. 1.
(4) OJ No L 36, 13. 2. 1980, p. 5.

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

Done at Brussels, 15 February 1980.

For the Commission

Finn GUNDELACH

Vice-President