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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1482/85

of 23 May 1985

amending Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Whereas the experimental suspension of the application of the storage cost compensation system to preferential sugar during the marketing years 1982/83 to 1984/85 has not had any harmful consequences on the markets governed by Council Regulation (EEC) No 1785/81 (3), as last amended by Regulation (EEC) No 606/82 (4); whereas, therefore, it is no longer essential to continue to apply the said system to preferential sugar, particularly in view of the management costs that this would entail for the Member States concerned;

Whereas enlargement of the Community necessitates the adoption of intervention measures to ensure the regular supply of all Community refineries processing raw sugar into white sugar; whereas, in addition to preferential sugar, these refineries require supplies of raw cane sugar produced in the French overseas departments and of raw beet sugar harvested in the Community; whereas the said intervention measures should ensure that the price conditions applying to these last-mentioned sugars are similar to those applying to preferential sugar,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1785/81 is hereby amended as follows:

1. The second subparagraph of Article 8 (2) is deleted.

2. The third and fourth subparagraphs of Article 8 (2) are replaced by the following:

'The Member States shall impose a levy on each sugar manufacturer, as appropriate:

— per unit of weight of sugar produced,
— per unit of weight of the syrups referred to in the first subparagraph which are produced prior to the crystallizing stage and marketed in their natural state.

The amount of the reimbursement shall be the same for the whole Community. This rule of uniformity shall also apply in respect of the levy.'

3. Article 8 (4) (c) is deleted.

4. Paragraphs 4 and 5 of Article 9 are replaced by the following:

'4. Appropriate measures shall be taken on the subject of the transport and storage costs of sugars produced in the French overseas departments, in order to permit these sugars to be marketed in the European regions of the Community.

To the extent necessary for the supply of refineries, provision may be made that raw sugar manufactured from beet harvested in the Community shall qualify for the same measures as those referred to in the first subparagraph.

For the purposes of this Article, "refinery" shall mean a production unit whose sole activity consists in refining either raw sugar or syrups produced prior to the crystallizing stage.

5. The Council, acting by a qualified majority on a proposal from the Commission, shall determine the general rules for the application of the preceding paragraphs, which may derogate from Article 8 as regards the application of paragraph 4, and the chemical products referred to in paragraph 3.'

5. The following indent is added to Article 9 (6):

'— the measures referred to in the second subparagraph of paragraph 4.'

Article 2

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

It shall apply from 1 July 1985.

(1) OJ No C 67, 14. 3. 1985, p. 13.
(2) OJ No C 94, 15. 4. 1985.
(3) OJ No L 177, 1. 7. 1981, p. 4.
(4) OJ No L 74, 18. 3. 1982, p. 1.

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

Done at Brussels, 23 May 1985.

For the Council

The President

C. SIGNORILE