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Contents

I *Acts whose publication is obligatory*

Regulation (EEC) No 220/73 of the Council of 31 January 1973 amending the Common Customs Tariff in respect of certain fishery products	1
Regulation (EEC) No 221/73 of the Council of 31 January 1973 partially and temporarily suspending the autonomous duties in the Common Customs Tariff on fillets of herring, uncooked, breaded and frozen, of subheading ex 16.04 C and on fillets of other fish, uncooked, breaded and frozen, of subheading ex 16.04 G	3
Regulation (EEC) No 222/73 of the Council of 31 January 1973 on the exchange rates to be applied in agriculture for the currencies of the new Member States	4
Regulation (EEC) No 223/73 of the Council of 31 January 1973 laying down general rules to ensure the proper functioning of the common organization of the market in sugar following the Accession of the new Member States	6
Regulation (EEC) No 224/73 of the Council of 31 January 1973 laying down general rules concerning the components designed to ensure, within the cereals and rice sectors, the protection of the processing industry, and fixing those components in respect of the new Member States	8
Regulation (EEC) No 225/73 of the Council of 31 January 1973 amending Regulation (EEC) No 1349/72 on the production and marketing of eggs for hatching and poultry chicks	16
Regulation (EEC) No 226/73 of the Council of 31 January 1973 laying down general rules for imports of New Zealand butter and cheese into the United Kingdom	17
Regulation (EEC) No 227/73 of the Council of 31 January 1973 authorizing the new Member States to take over national subdivisions for certain agricultural products within the Common Customs Tariff nomenclature	19
Regulation (EEC) No 228/73 of the Council of 31 January 1973 laying down general rules for the system of compensatory amounts for fruit and vegetables.....	20
Regulation (EEC) No 229/73 of the Council of 31 January 1973 laying down general rules for the system of compensatory amounts for cereals and fixing these for certain products	25

I

(Acts whose publication is obligatory)

REGULATION (EEC) No 220/73 OF THE COUNCIL
of 31 January 1973
amending the Common Customs Tariff in respect of certain fishery products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Articles 28 and 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas in the Agreement with Switzerland the Community has undertaken to abolish on an autonomous basis the tariff on certain freshwater fish falling within heading No 03.01 A of the Common Customs Tariff; whereas, consequently, the Annex to Council Regulation (EEC) No 950/68 ⁽¹⁾ of 28 June 1968 on the Common Customs Tariff, as last amended by Regulation (EEC) No 1/73 ⁽²⁾, and Annex V to Council Regulation (EEC) No 2142/70 ⁽³⁾ of 20 October 1970 on the common organization of the market in fishery products, as last amended by the Act annexed to the Treaty concerning the

Accession of new Member States to the European Economic Community and to the European Atomic Energy Community ⁽⁴⁾, signed at Brussels on 22 January 1972;

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 950/68 is amended as shown in Annex I to this Regulation.

Article 2

Annex V to regulation (EEC) No 2142/70 is amended as shown in Annex II to this Regulation.

Article 3

This Regulation shall enter into force on 1 February 1973.

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

⁽¹⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽²⁾ OJ No L 1, 1. 1. 1973, p. 1.

⁽³⁾ OJ No L 236, 27. 10. 1970, p. 5.

⁽⁴⁾ OJ Special Edition, 27. 3. 1972, p. 5.

ANNEX I

CCT heading No	Description of goods	Rate of duty	
		Autonomous %	Conventional %
03.01	Fish, fresh (live or dead), chilled or frozen		
	A. Freshwater fish:		
	I. Trout and other salmonidae:		
	a) Trout	16	12
	b) Salmon	16	8
	c) Lake white fish	free	8
	d) Other	free	10
	II. Eels	10	5
	III. Carp	10	8
	IV. Other	free	8

ANNEX II

CCT heading No	Description of goods
03.01	Fish, fresh (live or dead), chilled or frozen
	A. Freshwater fish:
	I. Trout and other salmonidae:
	a) Trout
	b) Salmon
	c) Lake white fish
	d) Other
	II. Eels
	III. Carp
	IV. Other

REGULATION (EEC) No 221/73 OF THE COUNCIL

of 31 January 1973

partially and temporarily suspending the autonomous duties in the Common Customs Tariff on fillets of herring, uncooked, breaded and frozen, of subheading ex 16.04 C and on fillets of other fish, uncooked, breaded and frozen, of subheading ex 16.04 G

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof;

Whereas fillets of herring and other fish, uncooked, breaded and frozen, have been classified under subheading ex 03.01 B II b) of the Common Customs Tariff; whereas it has become apparent that they should be classified under subheading ex 16.04 C and G; whereas the Committee on Nomenclature of the Customs Cooperation Council has adopted this view and has issued an Opinion to that effect at its twenty-seventh meeting;

Whereas, to avoid an increase owing to the change in classification in the liability to customs duty on the products in question on importation into the Community as originally constituted and to avoid a

disturbance in traditional trade relations, a suspension to a level of 15 % of the autonomous duties should be made on these goods for the period from 1 February to 30 June 1973;

HAS ADOPTED THIS REGULATION:

Article 1

A suspension to a level of 15 % shall be made in the autonomous duties in the Common Customs Tariff on fillets of herring, uncooked, breaded and frozen, of subheading ex 16.04 C and on fillets of other fish, uncooked, breaded and frozen, of subheading ex 16.04 G.

Article 2

This Regulation shall enter into force on 1 February 1973.

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

Done at Brussels, 31 January 1973.

*For the Council**The President*

A. LAVENS

REGULATION (EEC) No 222/73 OF THE COUNCIL

of 31 January 1973

on the exchange rates to be applied in agriculture for the currencies of the new Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 129 ⁽¹⁾ on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy, as amended by Regulation (EEC) No 653/68 ⁽²⁾, and in particular Article 3 (1) thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the Monetary Committee;

Whereas the situation provided for in Article 3 (1) of Regulation 129, permitting measures which derogate from the principle of using parities for converting one currency into another, now exists in the new Member States;

Whereas, from 1 February 1973, the common agricultural policy is to be applied in those Member States in accordance with transitional measures which, in general, provide for a price level different from the common price level and on progressive alignment towards that common price level; whereas conversion rates should, therefore, be applied which are not based on parities but are more in line with economic realities;

Whereas, taking this into account, the conversion rate for Denmark should be that which corresponds to the central rate for Danish Kroner; whereas for Ireland and the United Kingdom, however, a representative rate should be used calculated by reference to the arithmetical average of the middle rates on the exchange markets of the countries concerned at midday during the first two weeks of January 1973;

Whereas the power to fix prices and certain amounts is vested in the Council, acting by a qualified majority on a proposal from the Commission, either under Article 62 (1) of the Act annexed to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community ⁽³⁾, signed at Brussels on 22 January 1972, or under the regulations on the common organization of markets in agriculture;

HAS ADOPTED THIS REGULATION:

Article 1

1. Where transactions to be carried out in pursuance of instruments relating to the common agricultural policy, or specific rules laid down under Article 235 of the Treaty, require the currencies of the new Member States to be expressed in another currency or in units of account, the rate of exchange to be applied for the conversion of prices and other amounts fixed by the Council shall, in derogation from Article 2 (1) of Regulation No 129, be:

- (a) for Denmark, the rate which corresponds to the central rate for Danish Kroner;
- (b) for Ireland and the United Kingdom, the rate which corresponds to the representative rate for the currencies of these two Member States.

2. The representative rate referred to in paragraph 1 (b) shall be:

£1 sterling = £1 Irish = 2.3499 US dollars = 2.1644 units of account.

Article 2

This Regulation shall enter into force on 1 February 1973.

As regards the Member States referred to in Article 1, it shall cease to be applicable to the currency of any one of these States, as soon as that State communicates a new par value to the International Monetary Fund.

⁽¹⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽²⁾ OJ No L 123, 31. 5. 1968, p. 4.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

REGULATION (EEC) No 223/73 OF THE COUNCIL

of 31 January 1973

laying down general rules to ensure the proper functioning of the common organization of the market in sugar following the Accession of the new Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community ⁽¹⁾, signed at Brussels on 22 January 1972, and in particular the second subparagraph of Article 55 (6) and Article 62 (1) of the Act annexed thereto;

Having regard to the proposal from the Commission;

Whereas Article 56 of the abovementioned Act provides that appropriate measures may be taken with a view to ensuring the proper functioning of the common organization of the market, in particular if the refund on exports of a product to third countries is less than the compensatory amount or if no refund is applicable; whereas such a situation is likely to arise in the case of sugar;

Whereas the effect of the situation under consideration would be to cause operators to export from the territory of certain new Member States sugar produced within the Community as originally constituted in order to benefit from the compensatory amount granted pursuant to Article 55 of the Act; whereas the most suitable means of preventing the proper functioning of the common organization of the sugar market from being disturbed by deflection in trade is to provide for the charge of a compensatory levy on exports;

Whereas, moreover, by virtue of Protocol No 17 annexed to the Act, sugar imported into the United Kingdom under the Commonwealth Sugar Agreement will always be available on the United Kingdom market at the marketing price irrespective of any fluctuations in world market prices; whereas imports from other third countries are negligible;

Whereas the effect of applying the first subparagraph of Article 55 (6) of the Act would be to make sugar imports into the United Kingdom from the other Member States of the Community more expensive than sugar from the exporting countries covered by the Commonwealth Sugar Agreement; whereas, therefore, in order to avoid distortion of competition and having regard to the large amount of sugar covered by Protocol No 17 annexed to the Act, it is essential to invoke the second subparagraph of Article 55 (6) of the Act in respect of the products listed in Article 1 of Council Regulation No 1009/67/EEC ⁽²⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) 174/73 ⁽³⁾;

HAS ADOPTED THIS REGULATION:

Article 1

1. If, in respect of an export of one of the products listed in Article 1 (1) (a) and (d) of Regulation No 1009/67/EEC:

- the refund on exports to third countries is less than the compensatory amount, or
- no refund on exports to third countries is applicable,

the exporting Member State which applies compensatory amounts on trade with a third country shall charge a compensatory levy on exports of the said products, with the exception of sugar exported pursuant to the provisions referred to in Article 25 of Regulation 1009/67/EEC.

2. The compensatory levy to be charged on exports shall be equal:

(a) where the first indent of paragraph 1 applies:

- to the difference between the compensatory amount applicable on the day when the product concerned is exported and the refund

⁽¹⁾ OJ Special Edition, 27. 3. 1972, p. 5.

⁽²⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽³⁾ OJ No L 25, 30. 1. 1973, p. 1.

applicable to the export in question in the case of one of the products listed in Article 1 (1) (a) of Regulation No 1009/67/EEC;

- to the result of multiplying the difference between the basic compensatory amount applicable on the day when the product concerned is exported and the basic amount of the export refund in question, by the sucrose content including the content of other sugar expressed in sucrose of the said product, in the case of one of the products listed in Article 1 (1) (d) of the abovementioned Regulation;
- (b) where the second indent of paragraph 1 applies:
- to the compensatory amount applicable on the day when the product concerned is exported in the case of one of the products listed in Article 1 (1) (a) of Regulation No 1009/67/EEC;
 - to the result of multiplying the basic compensatory amount applicable on the day when the product concerned is exported by the sucrose content including the content of other sugar expressed in sucrose of the said product in the case of products listed in Article 1 (1) (d) of the abovementioned Regulation.
3. Paragraphs 1 and 2 shall also apply, where necessary, to the sugar content of the products

covered by Council Regulation (EEC) No 804/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by the Act, Council Regulation (EEC) No 865/68 ⁽²⁾ of 28 June 1968 on the common organization of the market in products processed from fruit and vegetables, as last amended by the Act, and Council Regulation (EEC) No 2682/72 ⁽³⁾ of 12 December 1972 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds.

4. The rules for the application of this Article and in particular the list of products set out in paragraph 3 shall be adopted in accordance with the procedure provided for in Article 40 of Regulation No 1009/67/EEC and in the corresponding Articles of Regulations (EEC) No 804/68 and (EEC) No 865/68.

Article 2

The first subparagraph of Article 55 (6) of the Act shall not apply to sugar.

Article 3

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

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 153, 1. 7. 1968, p. 8.

⁽³⁾ OJ No L 289, 27. 12. 1972, p. 13.

REGULATION (EEC) No 224/73 OF THE COUNCIL

of 31 January 1973

laying down general rules concerning the components designed to ensure, within the cereals and rice sectors, the protection of the processing industry, and fixing those components in respect of the new Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community ⁽¹⁾ signed at Brussels on 22 January 1972, and in particular Article 61 (2) of the Act annexed thereto ⁽²⁾;

Having regard to the proposal from the Commission;

Whereas Article 61 (2) of the said Act provides that the amount of the component for the protection of the processing industry in the new Member States is to be determined in respect of products covered by Council Regulations No 120/67/EEC ⁽³⁾ of 13 June 1967 on the common organization of the market in cereals and No 359/67/EEC ⁽⁴⁾ of 25 July 1967 on the common organization of the market in rice, as last amended in both cases by the said Act, by separating out, from the total charge on imports from third countries applied by the new Member States on 1 January 1972, the component or components designed to ensure the protection of their processing industry;

Whereas, in order to obtain a complete table of the components designed to ensure the protection of the processing industry within the enlarged Community, the components for the protection of industry in the Community as originally constituted should be reprinted alongside the components applicable by the new Member States;

Whereas account must be taken of the more favourable conditions enjoyed by certain third countries in their trade with the new Member States within the framework of the system of preferences;

Whereas it is necessary to determine those products for which no fixed component shall be payable, pursuant to the Agreement referred to in Article 64 of the Act, in trade between Ireland and the United Kingdom;

Whereas the component for the protection of the processing industry of a new Member State may take a different form from the component applied in the Community as originally constituted; whereas the change necessary in the form of protection during the period of alignment should be effected in the best possible conditions;

HAS ADOPTED THIS REGULATION:

Article 1

1. The components mentioned in Article 61 of the Act which are designed to ensure the protection of the processing industry and are hereinafter referred to as 'fixed components', levied in respect of products covered by Regulations No 120/67/EEC and No 359/67/EEC on imports from the new Member States into the Community as originally constituted and on imports from the other Member States into each new Member State, or which replace for the new Member States the Community protective component of the charge on imports from third countries are fixed or reprinted, as the case may be, in the Annex.

2. Without prejudice to the application of Article 59 (4) of the Act, the fixed components provided for in paragraph 1 above shall be applicable until 31 July 1973 in respect of products covered by Regulation No 120/67/EEC and until 31 August 1973 in respect of products covered by Regulation No 359/67/EEC.

3. For subsequent marketing years:

— as regards imports into the new Member States from third countries, the former shall determine the fixed components provided for in paragraph 1 above, adjusted in accordance with Article 59 (2) of the Act, account being taken, where appropriate, of Article 4 of this Regulation;

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽⁴⁾ OJ No 174, 31. 7. 1967, p. 1.

— as regards trade within the Community, the Commission shall determine the fixed components provided for in paragraph 1 above, adjusted in accordance with Article 59 (1) of the Act, account being taken, where necessary, of any authorizations granted under Article 59 (4) of that Act.

Article 2

Notwithstanding the provisions of Article 1 (1), the new Member States shall be authorized to maintain, until the end of the 1972/73 marketing year, for their imports from third countries enjoying a more favourable position under preferential agreements in their trade with those Member States, reduced fixed components applicable to these countries on 1 January 1972.

For subsequent marketing years, the new Member States shall, in accordance with Article 59 (2) of the Act, account being taken of Article 4 of this Regulation, adjust the fixed components referred to in the first paragraph, these components being considered as basic duties.

Article 3

No fixed component shall be collected:

- (a) on the importation into the United Kingdom from Ireland for the products referred to in Article 1 (2);
- (b) on the importation into Ireland from the United Kingdom for malt and the products designated under 23.07 ex B of the Common Customs Tariff, as follows: 'balancer meals, mineral mixtures and concentrates'.

Article 4

Where in a new Member State the fixed component is *ad valorem*, it shall be aligned on the specific fixed

component applied in the Community as originally constituted, in accordance with the following provisions:

- in the first stage, the new Member State shall apply as the fixed component:
 - (a) a specific amount equal to one-fifth of the Community fixed component;
 - (b) an *ad valorem* amount equal to the original *ad valorem* amount which was applied in that Member State on 1 February 1973 reduced by one-fifth;
- at each subsequent stage the specific amount shall be increased by one-fifth of the Community fixed component and the *ad valorem* amount shall be reduced by one-fifth of the original *ad valorem* component;
- if the Community component is altered, the increase or reduction of the specific amount provided for in (a) shall be so calculated as to remain constant at each subsequent stage.

Article 5

The detailed rules for the implementation of this Regulation shall be adopted, as and when necessary, in accordance with the procedure laid down in Article 26 of Regulations No 120/67/EEC and No 359/67/EEC.

Article 6

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

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

ANNEX

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed components u.a./100 kg			
07.06	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced; sago pith: A. Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes	0	0	0	manioc 0 other 5 %
10.06	Rice: B. Semi-milled or wholly milled rice: I. Semi-milled rice: a) Round grained b) Long grained II. Wholly milled rice: a) Round grained b) Long grained	 0.516 0.513 0.550 0.550	 0 0 0 0	 0 0 0 0	 0.64 0.64 0.64 0.64
11.01	Cereal flours: A. Wheat or meslin flour B. Rye flour C. Barley flour D. Oat flour E. Maize flour: I. Of a fat content not exceeding 1.5 % by weight II. Other F. Rice flour G. Buckwheat flour H. Millet flour IJ. Canary seed flour K. Grain sorghum flour L. Other	 1.875 1.875 0.50 0.50 0.50 0.25 0.25 0.50 0.25 0.25 0.25 0.25	 2.55 0.70 0.50 0.50 0.50 0.25 0.25 0 0 0 0 0	 4.00 0 0 0 0 0 0 0 0 0 0 0	 10 % 10 % 10 % 1.065 10 % 10 % 10 % 10 % 10 % 10 % 10 % 10 %

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed components u.a./100 kg			
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground: A. Cereal groats and cereal meal: I. Wheat: a) Durum wheat b) Common wheat II. Rye III. Barley IV. Oats V. Maize: a) Of a fat content not exceeding 1.5 % by weight: 1. For the brewing industry 2. Other b) Other VI. Rice VII. Buckwheat VIII. Millet IX. Grain sorghum X. Other B. Hulled grains (shelled or husked), whether or not sliced or kibbled: I. Barley, oats, buckwheat and millet: a) Hulled (shelled or husked): 1. Barley 2. Oats: aa) Clipped oats bb) Other 3. Buckwheat 4. Millet b) Hulled and sliced or kibbled ('Grütze' or 'grutten'): 1. Barley 2. Oats 3. Buckwheat 4. Millet II. Other cereals: a) Wheat b) Rye c) Maize d) Grain sorghum e) Other	1.875 <			

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed components u.a./100 kg			
11.02 (cont'd)	C. Pearled grains:				
	I. Wheat	0.25	0.25	0	10 %
	II. Rye	0.25	0.25	0	10 %
	III. Barley	0.50	0.50	0	20 %
	IV. Oats	0.25	0.25	0	10 %
	V. Maize	0.25	0.25	0	10 %
	VI. Buckwheat	0.25	0	0	10 %
	VII. Millet	0.25	0	0	10 %
	VIII. Grain sorghum	0.25	0	0	10 %
	IX. Other	0.25	0	0	10 %
	D. Grains not otherwise worked than kibbled:				
	I. Wheat	0.25	0.25	0	10 %
	II. Rye	0.25	0.25	0	10 %
	III. Barley	0.25	0.25	0	10 %
	IV. Oats	0.25	0.25	0	10 %
	V. Maize	0.25	0.25	0	10 %
	VI. Buckwheat	0.25	0	0	10 %
	VII. Millet	0.25	0	0	10 %
	VIII. Grain sorghum	0.25	0	0	10 %
	IX. Other	0.25	0	0	10 %
	E. Rolled grains; flaked grains:				
	I. Barley, oats, buckwheat and millet:				
	a) Rolled:				
	1. Barley	0.25	0.25	0	10 %
	2. Oats	0.25	0.25	0.25	1.065
	3. Buckwheat	0.25	0	0	10 %
	4. Millet	0.25	0	0	10 %
	b) Flaked:				
	1. Barley	0.50	0.50	0	20 %
	2. Oats	0.50	0.50	0.50	1.065
	3. Buckwheat	0.50	0	0	10 %
	4. Millet	0.50	0	0	10 %
	II. Other cereals:				
	a) Wheat	0.50	0.50	0	10 %
	b) Rye	0.50	0.50	0	10 %
	c) Maize	0.50	0.50	0	10 %
	d) Grain sorghum	0.50	0	0	10 %
	e) Other:				
	1. Flaked rice	0.50	0	0	10 %
	2. Other	0.50	0	0	10 %

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed components u.a./100 kg			
11.02, (cont'd)	F. Pellets:				
	I. Wheat	0.50	0.50	0	10 %
	II. Rye	0.50	0.50	0	10 %
	III. Barley	0.50	0.50	0	10 %
	IV. Oats	0.50	0.50	0	10 %
	V. Maize	0.50	0.50	0	10 %
	VI. Rice	0.25	0	0	10 %
	VII. Buckwheat	0.50	0	0	10 %
	VIII. Millet	0.25	0	0	10 %
	IX. Grain sorghum	0.25	0	0	10 %
	X. Other	0.25	0	0	10 %
	G. Germ of cereals, whole, rolled, flaked or ground:				
	I. Wheat	0.50	0.50	0	10 %
	II. Other	0.50	0.50	0	10 %
11.06	Flours and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06:				
	A. Denatured	0.25	0.25	0	Manioc } 0 Sago } Other 10 %
	B. Other:				
	I. For the manufacture of starches	1.70	1.70	0.70	Manioc } 0 Sago } Other 10 %
	II. Other	1.70	1.70	0.70	Manioc } 0 Sago } Other 10 %
11.07	Malt, roasted or not:				
	A. Unroasted:				
	I. Obtained from wheat:				
	a) In the form of flour	0.90	0.90	0.90	10 %
	b) Other	0.90	0.90	0.90	10 %
	II. Other:				
	a) In the form of flour	0.90	0.90	0.90	10 %
11.08	b) Other	0.90	0.90	0.90	10 %
	B. Roasted	0.90	0	0.90	10 %
	Starches; inulin:				
	A. Starches:				
	I. Maize starch	1.70	1.70	0	7.5 %
	II. Rice starch	2.55	2.55	0	1.60
	III. Wheat starch	1.70	1.70	1.70	10 %
	IV. Potato starch	1.70	3.40	1.00	0
	V. Other	1.70	1.70	0	(a) Millet and Buckwheat starches 1.60
					(b) Sorghum starch 7.50 %
					(c) Manioc 0
					(d) Sago 5 %
					(e) Other 10 %

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed components u.a./100 kg			
11.09	Wheat gluten, whether or not dried: A. Dried B. Other	15.00 15.00	1.875 1.875	15.00 15.00	10 % 10 %
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); Caramel: B. Glucose and glucose syrup: II. Other: a) Glucose in the form of white crystalline powder, whether or not agglomerated b) Other	 8.00 ⁽¹⁾ 5.50 ⁽¹⁾	 1.10 ⁽¹⁾ 3.20 ⁽¹⁾	 7.09 ⁽¹⁾ 7.09 ⁽¹⁾	 0.788 ⁽¹⁾ 0.567 ⁽¹⁾
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion: B. Glucose and glucose syrup: I. Glucose in the form of white crystalline powder, whether or not agglomerated .. II. Other.....	 8.00 5.50	 1.10 3.20	 7.09 7.09	 0.788 0.567
23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables: A. Of cereals: I. Of maize or rice: a) With a starch content not exceeding 35 % by weight b) Other: 1. With a starch content exceeding 35 % but not exceeding 45 % by weight, and having undergone a denaturing process 2. Other II. Of other cereals: a) Of which the starch content does not exceed 28 % by weight, and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10 % by weight or of which the sieved product has an ash content, calculated on the dry product, of 1.5 % or more by weight b) Other	 0 0 0 0 0	 0 0 0 0 0	 0 0 0 0 0	 10 % 10 % 10 % 10 % 10 %

⁽¹⁾ Pursuant to Regulation No 189/66/EEC, the products falling within subheading No 17.02 B I shall be subject to the same treatment as products falling within subheading 17.02 B II.

CCT heading No	Description	Community as originally constituted	Denmark	Ireland	United Kingdom
		Fixed components u.a./100 kg			
23.03	Beet-pulp, bagasse and other waste of sugar manufacture; brewing and distilling dregs and waste; residues of starch manufacture and similar residues: A. Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product: I. Exceeding 40 % by weight	15.00	1.875	0	10 %
23.07	Sweetened forage; other preparations of a kind used in animal feeding: B. Other, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 17.05 B, or milk products: I. Containing starch or glucose or glucose syrup: a) Containing no starch or containing 10 % or less by weight of starch: 1. Containing no milk products or containing less than 10 % by weight of such products 2. Containing not less than 10 % but less than 50 % by weight of milk products b) Containing more than 10 % but not more than 30 % by weight of starch: 1. Containing no milk products or containing less than 10 % by weight of such products 2. Containing not less than 10 % but less than 50 % by weight of milk products c) Containing more than 30 % by weight of starch: 1. Containing no milk products or containing less than 10 % by weight of such products 2. Containing not less than 10 % but less than 50 % by weight of milk products	0.90 0.90 0.90 0.90 0.90	0.90 0.90 0.90 0.90 0.90	0.90 0.90 0.90 0.90 0.90	10 % 10 % 10 % 10 % 10 %

REGULATION (EEC) No 225/73 OF THE COUNCIL

of 31 January 1973

amending Regulation (EEC) No 1349/72 on the production and marketing of eggs for hatching and poultry chicks

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community ⁽¹⁾, signed at Brussels on 22 January 1972, and in particular Article 62 (1) on the Act annexed thereto;

Having regard to the proposal from the Commission;

Whereas linguistic adaptations made necessary by the Accession of new Member States should be made to Council Regulation (EEC) No 1349/72 ⁽²⁾ of 27 June 1972 on the production and marketing of eggs for hatching and poultry chicks;

Article 1

1. The following are added, with effect from 1 February 1973, to Article 5 (3) of Regulation (EEC) No 1349/72:

'eggs for hatching'

'rugeæg'.

2. With effect from 1 February 1973, the first sentence of Article 6 of the abovementioned Regulation is completed by the following:

'hatching'

'rugeæg'.

Article 2

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

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 148, 30. 6. 1972, p. 7.

REGULATION (EEC) No 226/73 OF THE COUNCIL

of 31 January 1973

laying down general rules for imports of New Zealand butter and cheese into the United Kingdom

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

as last amended by Regulation (EEC) No 1411/71 ⁽⁴⁾;
whereas, however, those criteria should be clarified;

Having regard to the Treaty establishing the European Economic Community;

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community ⁽¹⁾, signed at Brussels on 22 January 1972, and in particular Article 3 of Protocol No 18 ⁽²⁾ annexed to the Act which is annexed to the said Treaty;

This Regulation governs imports into the United Kingdom of butter and cheese from New Zealand to which the special import terms provided for in the Protocol are to apply.

Article 2

Having regard to the proposal from the Commission;

The special terms referred to in Article 1 shall apply only to goods in respect of which it is provided that they are of New Zealand origin and that the minimum price laid down in Article 3 is observed.

Article 3

Whereas the said Protocol No 18 (hereinafter called 'the Protocol') provides that the United Kingdom is authorized to import from New Zealand certain quantities of butter and cheese on special terms; whereas such special import terms consist in particular of the non-application of compensatory amounts in trade between the United Kingdom and New Zealand and of the introduction of special levies applicable to such imports for which the observance of a minimum price must be guaranteed at the cif stage by New Zealand;

The minimum import price to be observed at the cif stage pursuant to Article 1 (3) of the Protocol shall be:

- (a) for butter: 76.96 u.a./100 kg,
- (b) for cheese: 66.45 u.a./100 kg.

Article 4

Whereas this minimum price to be observed at the cif stage is fixed, pursuant to Article 1 (3) of the Protocol, at a level which enables New Zealand to realise a price representing the average price obtained by that country on the United Kingdom market from 1969 to 1972;

1. The special levies provided for in Article 2 of the Protocol shall be fixed on the basis of the difference between:

- the market price at which the annual quantities specified in Article 1 (2) of the Protocol can actually be sold; and
- the cif price fixed in Article 3, plus costs incurred between the cif and first-sale stages.

Whereas the amounts of the special levies may, on the basis of the criteria given in Article 2 (2) of the Protocol, be fixed in accordance with the procedure laid down in Article 30 of Council Regulation (EEC) No 804/68 ⁽³⁾ of 27 June 1968 on the common organization of the market in milk and milk products,

2. To enable the annual quantities specified in Article 1 (2) of the Protocol actually to be sold the special levies:

- shall be fixed at a level such that the butter and cheese in question can be sold at a consistent rate;

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 173.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽⁴⁾ OJ No L 148, 3. 7. 1971, p. 4.

- shall as far as possible be kept at a uniform level to ensure the stability of the market;
- may nevertheless be altered and shall be adjusted in particular where this is necessary to permit the consistent sales of the annual quantities specified in Article 1 (2) of the Protocol.

However, to avoid disrupting the sale of Community butter and cheese, the special levies shall not be lower than the level necessary to permit the annual quantities specified in Article 1 (2) of the Protocol actually to be sold.

Article 5

The special levy to be charged shall be that ruling on the day of importation into the United Kingdom.

Article 6

The United Kingdom shall communicate all information necessary for the application of this

Regulation to the Commission, which shall inform the other Member States thereof.

Article 7

The Commission shall submit to the Council before 1 April each year and for the first time before 1 April 1974 a report on the manner in which the provisions of the Protocol have been applied.

Article 8

Detailed rules for the application of this Regulation, and in particular the amounts of the special levies and the appropriate measures for ensuring that in accordance with Article 1 (4) of the Protocol goods imported into the United Kingdom are not resold within the Community or re-exported to third countries, shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

Article 9

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

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

REGULATION (EEC) No 227/73 OF THE COUNCIL

of 31 January 1973

authorizing the new Member States to take over national subdivisions for certain agricultural products within the Common Customs Tariff nomenclature

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community ⁽¹⁾, signed at Brussels on 22 January 1972;

Having regard to the Act concerning the Conditions of Accession and the Adjustments to the Treaties;

Whereas, in accordance with the terms of the first subparagraph of Article 60 (3) of the said Act, the new Member States shall apply the Common Customs Tariff nomenclature by 1 February 1973 at the latest in respect of agricultural products covered by a common organization of the market; whereas, however, pursuant to the second subparagraph of Article 60 (3), the new Member States may be authorized to take over existing national subdivisions within the Common Customs Tariff nomenclature in order to carry out progressive moves towards alignment with the Common Customs Tariff or the elimination of duties in the Community to the extent that no difficulties arise in the application of the Community rules;

Whereas for the products subject to customs duty, with the exception of products coming under a common organization of the market in fruit and vegetables, beef and veal and fisheries, such an authorization is justified and does not create any

difficulties; whereas this is also the case for the products referred to in Article 61 of the said Act in respect of which a component is levied on imports to ensure the protection of the processing industry; whereas the new Member States should be authorized to take over in respect of the abovementioned products national subdivisions within the Common Customs Tariff nomenclature;

HAS ADOPTED THIS REGULATION:

Article 1

In respect of agricultural products covered by a common organization of the market where this involves the application of customs duties on imports from third countries, with the exception of those falling within the common organizations for fruit and vegetables, beef and veal and fisheries, and in respect of the products covered by Article 61 (1) of the Act concerning the Conditions of Accession and the Adjustments to the Treaties, the new Member States shall be authorized to take over within the Common Customs Tariff nomenclature the national subdivisions that are indispensable for carrying out the progressive moves towards alignment with that Tariff or the elimination of duties in the Community under the conditions laid down in the said Act.

Article 2

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

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

Done at Brussels, 31 January 1973.

*For the Council**The President*

A. LAVENS

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

REGULATION (EEC) No 228/73 OF THE COUNCIL

of 31 January 1973

laying down general rules for the system of compensatory amounts for fruit and vegetables

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community ⁽¹⁾, signed at Brussels on 22 January 1972, and in particular Article 62 (1) of the Act annexed thereto;

Having regard to the proposal from the Commission;

Whereas Article 65 of the Act provides that, under the conditions laid down in paragraph 1 of that Article, a compensatory amount shall be fixed for fruit and vegetables;

Whereas under Article 66 of the Act, until the first move towards alignment, the compensatory amount applicable, when the conditions referred to in Article 65 (1) are fulfilled, in trade between a new Member State in the Community as originally constituted another new Member State or a third country shall be equal to the difference between the producer prices in the new Member States and the common basic prices; whereas, however, in trade between two new Member States in which the conditions referred to in Article 65 (1) are fulfilled, the amount is equal to the difference between their respective producer prices;

Whereas it is not appropriate to take into account the seasonal changes of the producer prices in the new Member States and of the common basic prices; whereas it seems appropriate, consequently, to consider the difference between the producer prices in two new Member States as being equal to the difference between the compensatory amounts that each of them applies in trade with the Community as originally constituted;

Whereas the application of the foregoing criteria indicates that for apples and pears the compensatory amounts are to be fixed as shown in Annex I to this Regulation;

Whereas both the common basic prices and the producer prices notified by the new Member States as

regards apples relate to specific varieties; whereas compensatory amounts based on those prices can, therefore, be applied only to those varieties and to varieties which are regarded in the trade as being substantially the same; whereas, for other varieties, two other groups should be specified and different compensatory amounts should be fixed, obtained by applying conversion factors to the abovementioned amount; whereas these conversion factors may be fixed at a standard rate of 0.70 units of account for Group II and 0.45 units of account for Group III;

Whereas Article 55 (4) of the Act further provides that no compensatory amount shall be fixed where calculations result in a minimal amount;

Whereas the last subparagraph of Article 66 (1) of the Act provides that the differences between the prices referred to shall be adjusted, to the extent necessary, by the incidence of customs duties; whereas the authorities of the Member States competent to grant or levy compensatory amounts should make the adjustment by increasing or reducing, as the case may be, the compensatory amount by the amount of customs duties levied; whereas, however, for imports from third countries, the adjustment is made by applying to the compensatory amount the difference between the Common Customs Tariff Duty and the duty levied by the importing Member State;

Whereas it should be provided that the detailed rules for levying and granting compensatory amounts shall be such as to avoid deflection of trade which might be caused by any difference in the level thereof;

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory amount for fruit and vegetables shall comprise two components:

- (a) the basic compensatory amount, hereinafter called the 'basic amount', calculated in accordance with the first and second subparagraphs of Article 66 (1) of the Act;
- (b) the amount of the customs duties referred to in subparagraph 3 of Article 66 (1) of the Act.

⁽¹⁾ OJ Special Edition, 27. 3. 1972, p. 5.

Article 2

1. The basic amounts applicable until 31 December 1973 in trade between a new Member State and the Community as originally constituted, other new Member States and third countries in apples other than cider apples (subheading ex 08.06 A II of the Common Customs Tariff) and pears other than perry pears (subheading ex 08.06 B II of the Common Customs Tariff), are fixed in Annex I. These amounts shall apply only to products which are intended to reach the customer fresh.

2. The groups of apple varieties to which the basic amounts relate are specified in Annex II.

Article 3

Where subsequent compensatory amounts are fixed, the basic amounts shall be reduced by progressive stages as provided in Article 66 (2) of the Act.

Article 4

Where the compensatory amount is levied by a new Member State on a product coming from another new Member State or from the Community as originally constituted, the competent authorities of the importing Member State shall by way of compensation amount levy an amount equal to the basic amount reduced by the sum charged by way of customs duties.

Article 5

Where a product is imported into a new Member State from a third country, the competent authorities of the importing Member State shall by way of compensatory amount levy an amount equal to the basic amount:

- increased, if the first duty is higher than the second, by the amount of the difference between the duty under the Common Customs Tariff and the duty applicable in the Member State in respect of products coming from third countries; or

- reduced, if the first duty is lower than the second, by the amount of that difference.

Article 6

Where the compensatory amount is granted by a new Member State for a product exported to another new Member State or to the Community as originally constituted, the competent authorities of the exporting Member State shall by way of compensatory amount grant an amount equal to the basic amount increased by the sum charged by way of customs duties in the importing Member State.

Article 7

For exports to third countries the exporting new Member State shall by way of compensatory amount grant an amount equal to the basic amount.

Article 8

The compensatory amount applicable shall be that in force on the day of importation or exportation.

Article 9

The detailed rules for granting, levying and recovering compensatory amounts shall be such as to avoid deflection of trade and shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72 ⁽¹⁾. The detailed rules for the application of this Regulation and any revision of the classification in Annex II by reference to the varietal composition of products traded in shall be adopted in accordance with the same procedure.

Article 10

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

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

Done at Brussels, 31 January 1973.

For the Council
The President
A. LAVENS

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

ANNEX I

BASIC AMOUNTS

A. Applicable in respect of apples other than cider apples for delivery fresh to the consumer

1. By Denmark

Trade with	Period of application	Amounts in u.a./100 kg net		
		Group I	Group II	Group III
Third countries	From 1 January to 31 March and from 1 August to 31 December	4·9	3·4	2·2
EEC as originally constituted	From 1 January to 31 March and from 1 August to 31 December	4·9	3·4	2·2
Ireland	From 16 February to 31 March	4·9	3·4	2·2

2. By Ireland

Trade with	Period of application	Amounts in u.a./100 kg net		
		Group I	Group II	Group III
Third countries	From 1 January to 15 February and from 1 August to 31 December	10·3	7·2	4·6
EEC as originally constituted	From 1 January to 15 February and from 1 August to 31 December	10·3	7·2	4·6
Denmark	From 1 January to 15 February and from 1 August to 31 December	5·4	3·8	2·4

3. By the United Kingdom

Trade with	Period of application	Amounts in u.a./100 kg net		
		Group I	Group II	Group III
Third countries	From 1 January to 31 March and from 1 August to 31 December	10·0	7·0	4·5
EEC as originally constituted	From 1 January to 31 March and from 1 August to 31 December	10·0	7·0	4·5
Denmark	From 1 January to 31 March and from 1 August to 31 December	5·1	3·6	2·3
Ireland	From 16 February to 31 March	10·0	7·0	4·5

B. Applicable in respect of pears other than perry pears for delivery fresh to the consumer*1. By Denmark*

Trade with	Period of application	Amounts in u.a./100 kg net
Third countries	From 1 August to 31 December	5·7
EEC as originally constituted	From 1 August to 31 December	5·7
Ireland	From 1 August to 31 December	5·7
United Kingdom	From 1 August to 31 August	5·7

2. By the United Kingdom

Trade with	Period of application	Amounts in u.a./100 kg net
Third countries	From 1 January to end February and from 1 September to 31 December	6·9
EEC as originally constituted	From 1 January to end February and from 1 September to 31 December	6·9
Ireland	From 1 January to end February and from 1 September to 31 December	6·9
Denmark	From 1 January to end February From 1 September to 31 December	6·9 1·2

ANNEX II

CLASSIFICATION OF APPLE VARIETIES

GROUP I ⁽¹⁾

Golden Delicious, Red Delicious, Richared, Stark Delicious, Starking, Starkrimson, Transparente jaune (Klarapfel), James Grieve, Belle de Boskoop, Stayman Winesap, Staymanred, Black Winesap, Granny Smith, Dunn's Seedling, King Cole, Cleopatra, Democrat, Yellow Newton, Crofton, Ingrid Marie, Sturmer, Laxton's superb, Scarlet pearmain, White winter pearmain, Geeveston Fanny, Tydeman's Early, Worcester, Benoni, Stark Earliest, Winston, Reinette du Canada, Berlepsch, Annurca, Lodi, Gravensteiner, Miller's Seedling, Worcester pearmain, different Cox's varieties other than Cox's pomona and mutations of the above varieties.

GROUP II

Varieties other than those in Groups I and III.

GROUP III

Abbondanza (Belfort), Rambour d'hiver, Brettacher, Horneburger, Krügers Dickstiel, Kirchenwerder, Finkenwerder, Winter banana, Limoncella, Commercio, Reinette clochard, Ontario, Reinette du Mans, Lemoenapfel, Bramley's Seedling (Triomphe de Kiel), Pella, Cox's pomona and mutations of the above varieties.

(1) Apples of Quality Class II in packings not bearing the name of the variety, and apples of Quality Class III in so far as this latter applies, shall also be considered to fall within this group.

REGULATION (EEC) No 229/73 OF THE COUNCIL

of 31 January 1973

laying down general rules for the system of compensatory amounts for cereals and
fixing these for certain products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community ⁽¹⁾, signed at Brussels on 22 January 1972, and in particular Article 55 (6) and Article 62 (1) of the Act annexed thereto;

Having regard to the proposal from the Commission;

Whereas Articles 51 and 52 of the Act provide that the prices to be applied in the new Member States shall be fixed at a level different from that of the common prices; whereas under Article 55 of the Act the differences in price levels are to be compensated by a system of compensatory amounts;

Whereas, pursuant to Article 73 of the Act, Articles 51 and 52 of the Act apply to the derived intervention prices for cereals;

Whereas the compensatory amounts fixed for the products in question and applicable in trade between the Community as originally constituted and the new Member States, and between the new Member States and third countries, are equal to the difference between the prices fixed for the new Member State in question and the common prices;

Whereas the rules for determining the level of compensatory amounts for other cereals must, in the light of Article 74 (1) of the Act, be so drawn up as to achieve a progressive alignment on the price ratio in the Community;

Whereas it should be made clear that the application of Article 55 (1) (b) of the Act involves deduction of the compensatory amount from the levy or refund;

Whereas it is necessary to provide for the possible introduction, should the necessity arise, of a system of rules for advance fixing of the compensatory amount;

Whereas Article 55 (3) of the Act provides that the compensatory amounts applicable in trade between the new Member States shall be determined by direct reference to the compensatory amounts fixed for each of those States; whereas these provisions should be clarified by specifying that in each case the amount should be equal to the price difference between the Member States in question used for determining the compensatory amounts applicable in trade with the Community as originally constituted;

Whereas, in accordance with Article 74 (2) of the Act, the compensatory amounts for products covered by Council Regulation No 120/67/EEC ⁽²⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by the Act, are derived from the compensatory amount for the cereals to which they relate with the aid of the coefficients or rules used in determining the levy, or the variable component of the levy, on these products; whereas the coefficients in question were determined in Council Regulation (EEC) No 968/68 ⁽³⁾ of 15 July 1968 on the system to be applied to cereal-based compound feedingstuffs, in Council Regulation (EEC) No 1052/68 ⁽⁴⁾ of 23 July 1968 on the import and export system for products processed from cereals and from rice, as last amended by Regulation (EEC) No 1529/71 ⁽⁵⁾, and in Council Regulation (EEC) No 1397/69 ⁽⁶⁾ of 17 July 1969 fixing the standard qualities for certain cereals and categories of flour, groats and meal and the rules for fixing the threshold prices of these categories of products; whereas it is, however, necessary to specify that they are applicable in certain cases;

⁽²⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽³⁾ OJ No L 166, 17. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 179, 25. 7. 1968, p. 8.

⁽⁵⁾ OJ No L 162, 20. 7. 1971, p. 11.

⁽⁶⁾ OJ No L 179, 21. 7. 1969, p. 6.

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

Whereas, since the purpose of compensatory amounts in intra-Community trade is to promote the satisfactory circulation of products between Member States with different price levels, a compensatory amount should be levied on imports to a Member State with a higher price level and, conversely, such an amount should be granted on exports to a Member State with a lower price level;

Whereas, therefore, it follows from Article 55 (1) (a) of the Act, according to which compensatory amounts are levied by the importing Member State or granted by the exporting Member State, that it is for the Member State with the highest price level to grant or levy these amounts;

Whereas Article 56 of the Act provides that appropriate measures may be taken with a view to ensuring the proper functioning of the common organization of markets if the world market price is higher than the price used in calculating the import charge introduced under the common agricultural policy, less the compensatory amount; whereas the measures aforesaid may in particular provide for the limited charge or grant of compensatory amounts, depending on the fluctuations in prices on the world market; whereas the terms on which these are to be limited must be fixed; whereas the limitation should be reflected equally in the compensatory amounts applicable to products processed from cereals;

Whereas appropriate measures must be taken to avoid deflection of trade where, in trade between a new Member State and third countries, the compensatory amount is to be deducted from the refund or where the refund, if fixed at all, is lower than the compensatory amount;

Whereas detailed rules for levying and granting compensatory amounts should be such as to avoid

deflections in trade caused, in particular, by differences in their levels;

Whereas for the sake of clarity the Commission should be authorized to publish the compensatory amounts fixed by the Council in the Annex listing those fixed by the Commission;

HAS ADOPTED THIS REGULATION:

Article 1

The compensatory amounts applicable until 31 July 1973 in trade between the Community as originally constituted and the new Member States, and between the new Member States and third countries, shall, for the following products, be as follows:

	Trade with		
	Denmark u.a./metric ton	Ireland u.a./metric ton	United Kingdom u.a./metric ton
Common wheat	9.95	7.50	44.31
Barley	8.68	14.86	42.33

Article 2

1. The compensatory amounts applicable until 31 July 1973 in trade between the Community as originally constituted and the new Member States, and between the new Member States and third countries, shall be calculated by applying the following coefficients to the compensatory amounts for the reference cereals:

Compensatory amounts for	Reference cereal	Coefficients applicable in trade with		
		Denmark	Ireland	United Kingdom
Durum wheat	Common wheat	1.095	2.817	1.476
Rye	Barley	—	1.110	1.250
Oats	Barley	0.969	0.957	0.855
Maize	Barley	—	1.548	0.872
Millet	Barley	—	0.964	0.882
Grain sorghum	Barley	—	1.682	0.882

2. For subsequent calculations, the difference in the price ratio between the reference cereal and each of the cereals in question in the new Member States on the one hand and the Community as originally constituted on the other shall be gradually eliminated at the rate specified in Article 52 (2) of the Act.

The price rates on which the calculation is based shall, for each new Member State, be that resulting from the application of the compensatory amount for the preceding marketing year and, for the Community, that used for fixing the threshold prices for the new marketing year.

3. The compensatory amount for common wheat rendered unfit for human consumption by denaturing as specified in Article 7 of Regulation No 120/67/EEC shall be that applicable to barley.

No compensatory amount shall be fixed for products:

- (a) Falling within subheadings Nos 10.07 A and D of the Common Customs Tariff;
- (b) Falling within heading No 10.02 and subheadings Nos 10.05 B and 10.07 B and C of the Common Customs Tariff in trade between the Community as originally constituted and Denmark.

Article 3

The compensatory amounts applicable in trade between two new Member States shall be equal to:

- the compensatory amounts applicable in trade with the Community as originally constituted where there is no compensatory amount fixed in trade between the Community and one of the Member States in question;
- the difference between the amounts applicable in trade between each of these new Member States and the Community as originally constituted in other cases.

Article 4

The compensatory amounts applicable to the products specified in Article 1 (c) and (d) of Regulation No 120/67/EEC shall be determined with the aid of the coefficients given in Regulations (EEC) Nos 968/68, 1052/68 and 1397/69.

Article 5

In trade between new Member States and between those States and the Community as originally constituted, the compensatory amounts shall be levied or granted by that one of the two Member States in question whose price level used in determining the compensatory amounts is the higher.

In trade between new Member States and third countries, the compensatory amounts shall be deducted from the levy or refund.

Article 6

1. The compensatory amount applicable shall be that ruling on the day of importation or exportation.

2. However, should the necessity arise, the decision may be made, in accordance with the procedure referred to in Article 9 (1), to institute a system of advance fixing of the compensatory amount.

Article 7

1. If for any product referred to in Article 1 or Article 2 (1) the levy is lower than the compensatory amount fixed for that product or calculated in respect thereof by applying Article 2, the Commission shall apply the scale set out in the Annex to determine the amount applicable by way of compensatory amount in trade between the Community as originally constituted and the new Member States and between those States and third countries.

Where, however, the amount of levy lies within the range of values which includes the compensatory amount fixed in Article 1 or resulting from the application of Article 2, that compensatory amount shall continue to apply.

2. For the products referred to in Article 1 (c) of Regulation 120/67/EEC, the amount applicable by way of compensatory amount shall be determined by the Commission in accordance with the terms and on the conditions set out in the foregoing paragraph, the amount to be taken for purposes of levy being in this case the levy chargeable in respect of the product in question reduced by the amount representing the component for protection of the processing industry referred to in Regulation (EEC) No 1397/69.

3. For the products referred to in Article 1 (d) of Regulation No 120/67/EEC, the amount applicable by way of compensatory amount shall be determined by the Commission by reference to the variations in the amount or amounts determined under paragraph 1 for the basic cereals concerned.

4. The provisions of Article 3 shall apply to determination of these amounts in respect of trade between two new Member States.

Article 8

Where, for a given product, a compensatory amount is fixed and the refund, if fixed at all, is lower than the compensatory amount, then, when the product in question is exported to a third country, an amount not exceeding the difference between the compensatory amount and the refund or, as the case may be, not exceeding the compensatory amount may be levied in the new Member State in question.

Article 9

Detailed rules for granting, levying and recovering compensatory amounts shall be such as to avoid

possible deflections of trade and distortions of competition, and adopted in accordance with the procedure laid down in Article 26 of Regulation No 120/67/EEC.

Detailed rules for the application of this Regulation, and in particular the compensatory amounts other than those determined in Article 1, shall be adopted by the same procedure.

The Commission shall be authorized to publish the compensatory amounts together with those fixed in Articles 1 and 2 (3).

Article 10

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

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

Done at Brussels, 31 January 1973.

For the Council

The President

A. LAVENS

ANNEX

Amount of Community levy u.a./ton	Amounts applicable by way of compensatory amount u.a./ton
from 100·00 to 96·01	98·00
from 96·00 to 92·01	94·00
from 92·00 to 88·01	90·00
from 88·00 to 84·01	86·00
from 84·00 to 80·01	82·00
from 80·00 to 76·01	78·00
from 76·00 to 72·01	74·00
from 72·00 to 68·01	70·00
from 68·00 to 64·01	66·00
from 64·00 to 60·01	62·00
from 60·00 to 56·01	58·00
from 56·00 to 52·01	54·00
from 52·00 to 48·01	50·00
from 48·00 to 44·01	46·00
from 44·00 to 40·01	42·00
from 40·00 to 36·01	38·00
from 36·00 to 32·01	34·00
from 32·00 to 28·01	30·00
from 28·00 to 24·01	26·00
from 24·00 to 20·01	22·00
from 20·00 to 16·01	18·00
from 16·00 to 12·01	14·00
from 12·00 to 8·01	10·00
from 8·00 to 4·01	6·00
from 4·00 to 0·01	2·00
0	0