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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 1599/74 OF THE COUNCIL

of 29 April 1974

fixing the sugar prices, the standard quality of beet and the coefficient for calculating the maximum quota for the 1974/75 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to Council Regulation No 1009/67/EEC ⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73 ⁽²⁾, and in particular Articles 2 (2), 3 (5) and 4 (3) and the second subparagraph of Article 24 (2) thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Opinion of the Economic and Social Committee;

Whereas, when sugar prices are being fixed, account should be taken of the objectives of the Common Agricultural Policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the Common Agricultural Policy are in particular to ensure a fair standard of living for the agricultural community, to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas, to attain these objectives, the target price for sugar must be fixed at a level which, taking into account in particular the resultant level of the inter-

vention price, ensures a fair remuneration for beet and cane producers while at the same time respecting consumers' interests, and which is likely to maintain the balance between the prices of the principal agricultural products;

Whereas as a result of the characteristics of the sugar market the risks involved in this trade are relatively slight; whereas, consequently, when the intervention price for sugar is being fixed, the difference between the target price and the intervention price may be fixed at a relatively low level;

Whereas the minimum price for beet must take account of the intervention price and of the standard amounts covering the costs of processing and delivering beet to factories and be based on an estimated Community yield of 130 kilogrammes of white sugar per metric ton of beet with a 16% sugar content;

Whereas the above standard costs may be estimated at 10.73 units of account per 100 kilogrammes of white sugar; whereas that amount is made up of the sum of the processing margin, estimated at 9.74 units of account, and the costs of delivering beet to factories, estimated at 1.82 units of account, less a standard amount of 0.83 unit of account representing factories' receipts from the sale of molasses calculated on the basis of a yield of 38.5 kilogrammes per metric ton of beet processed and an ex-factory price for molasses of 2.80 units of account per 100 kilogrammes.

Whereas the standard quality chosen for beet should be a quality which takes account of production characteristics in the main beet producing areas of the Community;

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

Whereas, in the light of production trends seen in terms of specialization, the Community's sugar supply and marketing opportunities, the maximum quotas referred to in Article 24 of Regulation No 1009/67/EEC should be fixed at 145% of the basic quotas,

HAS ADOPTED THIS REGULATION:

Article 1

The provisions of this Regulation shall apply for the 1974/75 sugar marketing year.

Article 2

1. The target price for white sugar shall be 26.55 units of account per 100 kilogrammes.

2. The intervention price for white sugar shall be 25.22 units of account per 100 kilogrammes.

3. The area having the largest surplus includes the following French departments: Aisne, Somme, Oise.

Article 3

The minimum price for beet for the area referred to in Article 2 (3) shall be 18.84 units of account per metric ton at the stage of delivery to the collection centre.

Article 4

Standard quality beet shall present the following characteristics:

- (a) sound, fair and of marketable quality;
- (b) sugar content of 16% at the reception point.

Article 5

The coefficient referred to in Article 24 (1) of Regulation No 1009/67/EEC shall be 1.45.

Article 6

This Regulation shall enter into force on 1 July 1974.

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

Done at Luxembourg, 29 April 1974.

For the Council

The President

J. ERTL

REGULATION (EEC) No 1600/74 OF THE COUNCIL

of 29 April 1974

fixing for the 1974/75 sugar marketing year the derived intervention prices, the intervention prices for raw beet sugar, the minimum prices for beet, the threshold prices, and the maximum amount of the production levy

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 1009/67/EEC ⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73 ⁽²⁾, and in particular Articles 3 (6), 4 (4), 9 (7), 12 (5), 28 and 31 (4) and (5) thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Opinion of the Economic and Social Committee;

Whereas Council Regulation (EEC) No 1599/74 ⁽³⁾ of 29 April 1974 fixing the sugar prices, the standard quality of beet and the coefficient for calculating the maximum quota for the 1974/75 marketing year, fixed the intervention price for white sugar at 25.22 units of account per 100 kilogrammes for the Community area having the largest surplus;

Whereas Article 3 (2) of Regulation No 1009/67/EEC provides for derived intervention prices to be fixed for other areas, account being taken of the regional variations which, given a normal harvest and free movement of sugar, might be expected to occur in the price of sugar under natural conditions of price formation;

Whereas in view of the quotas fixed in the production areas in Germany, the Netherlands, Belgium, Denmark and France, a balanced or surplus situation

can be anticipated; whereas, with the exception of the French overseas departments, the ex-factory prices in the areas mentioned will in the main be equal to the prices in the Community area having the largest surplus;

Whereas sugar production in Italy, with relatively high production costs, will probably not appreciably exceed the basic quantity fixed; whereas a deficit of about 500 000 metric tons to be covered by the production of the Community surplus areas should be taken into account;

Whereas, in these circumstances, the level of market prices in Italy will be determined by the offer prices of sugar from Community surplus areas; whereas the derived intervention price for Italy may be fixed at 27.43 units of account per 100 kilogrammes, account being taken on the one hand of the intervention price applicable in the north of France plus the marketing costs for deliveries to Italy, and on the other hand, of the disposal costs of the Italian sugar industry;

Whereas there is a considerable surplus in the production of raw sugar in the French overseas departments; whereas the most favourable potential outlets for this sugar within the Community are in the south of France and in Italy, where the sugar, after being refined, may be sold directly; whereas, on the basis of the foreseeable market prices in the deficit areas of Italy, which will probably be 0.52 unit of account per 100 kilogrammes above the derived intervention price in Italy, and taking account of the transport costs between the overseas departments and these areas, the derived intervention prices for those departments should be fixed at 24.99 units of account per 100 kilogrammes of white sugar;

Whereas Article 3 (4) of Regulation No 1009/67/EEC provides for the fixing of the intervention price for raw sugar for those departments to be derived from the intervention price for white sugar fixed for those departments, allowance being made for a uniform processing margin and a standard yield; whereas, on the basis of available information, the refining

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ See page 1 of this Official Journal.

costs may be estimated at 2.05 units of account per 100 kilogrammes of raw sugar, of which probably 0.60 unit of account can be covered by the higher price likely to be obtained from the better quality in comparison with the price for the standard quality; whereas, moreover, pursuant to the definition of the standard quality for raw sugar laid down by Regulation (EEC) No 431/68 ⁽¹⁾, a yield of 92% should be used;

Whereas Article 9 (7) of Regulation No 1009/67/EEC provides for the determination of intervention prices for raw beet sugar; whereas these prices should be derived from the intervention price for white sugar, account being taken of the factors already mentioned for fixing the intervention price for raw sugar in the French overseas departments, and of the forwarding costs for supplying raw sugar, estimated at a standard rate of 0.50 unit of account per 100 kilogrammes;

Whereas the minimum prices for sugar beet referred to in the first indent of Article 4 (1) of Regulation No 1009/67/EEC must be determined for the areas other than that having the largest surplus on the basis of the intervention prices for white sugar applicable in those areas, account being taken of the amounts used when fixing the minimum price for beet for the area having the largest surplus, for the processing margin, the yield, the receipts from molasses and the delivery costs of the beet;

Whereas in Ireland and the United Kingdom, the prices of white sugar and raw beet sugar, and the minimum prices for beet, are currently lower than the common prices and must for the 1974/75 marketing year be aligned on these prices in accordance with Article 52 (2) (a) of the Act of Accession; whereas, however, considering that the corresponding amendment of prices in the United Kingdom would disturb the process of its integration into the Community, it is desirable to apply, for this Member State, the derogation contained in paragraph 3 of the Article in question;

Whereas the minimum prices for beet outside the basic quota referred to in the second indent of Article 4 (1) of Regulation No 1009/67/EEC should be fixed in such a way that they promote specialization in beet cultivation in particular;

Whereas at the time of fixing the percentages referred to in Article 27 (4) and (5) of Regulation No 1009/67/EEC and the maximum amount of the production levy referred to in Article 28 of that Regulation, account should be taken, bearing in mind the aims of the quota system, on the one hand of the difference between the minimum price for beet and the minimum price for beet outside the basic quota and, on the other hand, of the fixed costs of the sugar industry estimated at about 45% of the processing margin;

Whereas, under Article 12 (2) of Regulation No 1009/67/EEC, the threshold price for white sugar should be the same as the target price for the Community area having the largest surplus plus transport costs, calculated at a flat rate, from that area to the most distant deficit area in the Community; whereas, given the state of supplies within the Community, account should be taken of the transport costs between the departments of northern France and Palermo, the main port of importation in Sicily;

Whereas the threshold price for raw sugar should be derived from the threshold price for white sugar, a standard processing margin and a standard yield being taken into account; whereas the same criteria as are used in the derivation of the intervention price for raw sugar should be applied;

Whereas the threshold price for molasses should be so fixed that the receipts from sales of molasses may reach the level of factories' receipts which are taken into account when minimum prices for beet are being fixed;

Whereas, in view of the state of the Community's sugar supply, the maximum quota, which has been fixed at 135% of the basic quota since the 1968/69 sugar marketing year, has been increased to 145% of that basic quota for the 1974/75 sugar marketing year; whereas, in these circumstances, it is justified to increase the special maximum quota fixed at 230% for the 1973/74 and 1974/75 sugar marketing years in accordance with Article 8 (2) of Council Regulation (EEC) No 1637/73 ⁽²⁾ of 18 June 1973, fixing for the 1973/74 marketing year the derived intervention prices, the intervention prices for raw beet, sugar, the minimum prices for beet, the threshold prices, the guaranteed quantity, the maximum amount of the production levy, and the special maximum quota,

⁽¹⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽²⁾ OJ No L 165, 23. 6. 1973, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation shall apply for the 1974/75 sugar marketing year.

Article 2

For the regions other than that referred to in Article 2 (3) of Regulation (EEC) No 1599/74, the derived intervention price for 100 kilogrammes of white sugar shall be:

- (a) 27.43 units of account for all regions of Italy;
- (b) 24.99 units of account for the French overseas departments;
- (c) 23.57 units of account for all regions of Ireland;
- (d) 21.85 units of account for all regions of the United Kingdom;
- (e) 25.22 units of account for the other regions of the Community.

Article 3

1. The intervention price for 100 kilogrammes of raw beet sugar shall be:

- (a) 21.41 units of account for the Community area having the largest surplus and the regions referred to in Article 2 (e);
- (b) 23.44 units of account for the regions referred to in Article 2 (a);
- (c) 20.01 units of account for the regions referred to in Article 2 (c);
- (d) 17.57 units of account for the regions referred to in Article 2 (d);

This intervention price shall be valid for raw sugar of standard quality, unpacked, ex-factory, loaded onto the means of transport chosen by the buyer.

2. The derived intervention price for the French overseas departments for the raw sugar referred to in Article 3 (4) of Regulation No 1009/67/EEC shall be 21.66 units of account per 100 kilogrammes.

Article 4

1. The minimum price for beet shall be, per metric ton:

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

Done at Luxembourg, 29 April 1974.

- (a) 21.71 units of account for the regions referred to in Article 2 (a);
- (b) 17.61 units of account for the regions referred to in Article 2 (c);
- (c) 16.30 units of account for the regions referred to in Article 2 (d);
- (d) 18.84 units of account for the regions referred to in Article 2 (e).

2. The minimum price for beet outside the basic quota shall be, per metric ton:

- (a) 11.08 units of account for the area having the largest surplus determined in Article 2 (3) of Regulation (EEC) No 1599/74, and for the regions referred to in Article 2 (c), (d) and (e);
- (b) 13.95 units of account for the regions referred to in Article 2 (a).

Article 5

The threshold price shall be:

- (a) 29.47 units of account per 100 kilogrammes for white sugar;
- (b) 25.78 units of account per 100 kilogrammes for raw sugar;
- (c) 3.20 units of account per 100 kilogrammes for molasses.

Article 6

1. The percentages referred to in Article 27 (4) and (5) of Regulation No 1009/67/EEC shall be 60.

2. The maximum amount of the production levy referred to in Article 28 of Regulation No 1009/67/EEC shall be 9.89 units of account per 100 kilogrammes of white sugar.

Article 7

The coefficient referred to in the second indent of Article 31 (4) of Regulation No 1009/67/EEC, and fixed at 2.30 for the period from 1 July 1973 to 30 June 1975 under Article 8 (2) of Regulation (EEC) No 1637/73 shall be increased to 2.35.

Article 8

This Regulation shall enter into force on 1 July 1974.

For the Council
The President
J. ERTL

REGULATION (EEC) No 1601/74 OF THE COUNCIL

of 29 April 1974

amending Regulation (EEC) No 239/73 on the marketing price for sugar imported into the United Kingdom under the terms of the Commonwealth Sugar Agreement

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty ⁽¹⁾ concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community and in particular paragraph 5 of Protocol No 17 annexed to the Act appended to the Treaty;

Having regard to the proposal from the Commission;

Whereas paragraph 3 of Protocol No 17 annexed to the Act of Accession provides that the marketing price of the sugar imported into the United Kingdom under the terms of the Commonwealth Sugar Agreement shall be fixed at a level such as to allow the quantities in question effectively to be marketed without prejudicing the marketing of Community sugar;

Whereas Council Regulation (EEC) No 1599/74 ⁽²⁾ of 29 April 1974 fixing the sugar prices, the standard quality of beet and the coefficient for calculating the maximum quota for the 1974/75 marketing year, and Council Regulation (EEC) No 1600/74 ⁽³⁾ of 29 April 1974 fixing for the 1974/75 sugar marketing year, the derived intervention prices, the intervention prices for raw beet sugar, the minimum prices for beet, the threshold prices and the maximum amount of the production levy, have fixed the intervention prices for sugar at new levels;

Whereas, therefore, the marketing price and the refining subsidy should be fixed at a new level for the period 1 July 1974 to 28 February 1975 and Council Regulation (EEC) No 239/73 ⁽⁴⁾ of 31 January 1973 on the marketing price for sugar imported into the United Kingdom under the terms of the Commonwealth Sugar Agreement and on measures to assist the marketing of sugars produced in the French overseas departments, as amended by Regulation (EEC) No 1639/73 ⁽⁵⁾, should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 239/73 is amended as follows:

- (a) in Article 1 (1) (c) the amount 16.86 units of account is replaced by the amount 16.39 units of account;
- (b) the following subparagraph is added to Article 1 (1):
'Where the market price in the United Kingdom is in excess of the level of the intervention price, the Commission shall adjust the marketing price referred to in (c) in accordance with that excess.';
- (c) in Article 3 (c) the amount 0.43 unit of account is replaced by the amount 0.94 unit of account.

Article 2

This Regulation shall enter into force on 1 July 1974.

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

Done at Luxembourg, 29 April 1974.

For the Council

The President

J. ERTL

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ See page 3 of this Official Journal.

⁽⁴⁾ OJ No L 29, 1. 2. 1973, p. 14.

⁽⁵⁾ OJ No L 165, 21. 6. 1973, p. 5.

REGULATION (EEC) No 1602/74 OF THE COUNCIL

of 25 June 1974

amending Regulation No 1009/67/EEC on the common organization of the market in sugar

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Opinion of the Economic and Social Committee;

Whereas, in view of the Community's sugar supply situation, the maximum quota, fixed at 135% of the basic quota since the 1968/69 sugar marketing year, has been increased to 145% of the basic quota for the 1974/75 sugar marketing year; whereas it is therefore justified to provide for a maximum quota applicable to the United Kingdom of 110% of the basic quota;

Whereas Article 16 of Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73⁽²⁾, does not apply to sugar produced in excess of the maximum quota; whereas, moreover, shortages and high prices persist on the world market and Community supplies are at risk because of uncertainty about the quantities to be imported in the future under Protocol No 22 annexed to the Act of Accession⁽³⁾; whereas, in view of the above situation, undertakings to export the said sugar long before it has been produced should be avoided; whereas the export levy should therefore also be applicable to sugar produced in excess of the maximum quota; whereas there should nevertheless be the possibility of not applying this levy as soon as the Community's supply situation can be adequately ascertained;

Whereas, for the 1974/75 sugar marketing year, the guaranteed quantity should be fixed only after

establishment of the possible future arrangements for sugar imports into the Community from certain developing countries as from 1 January 1975;

Whereas Italy has been authorized to grant temporary aids; whereas an increase in the maximum aid granted per metric ton of beet from 1.80 to 4.00 units of account is justified by a new assessment of the conditions of production, in particular the temporary competitive situation in relation to maize production,

HAS ADOPTED THIS REGULATION:

Article 1

The third subparagraph of Article 24 (2) of Regulation No 1009/67/EEC shall be replaced by the following:

'However, the coefficient to be applied to the United Kingdom for determining the maximum quota shall be:

- 1.00 for the period up to the end of the 1973/74 sugar marketing year, and
- 1.10 for the 1974/75 sugar marketing year.'

Article 2

Article 25 (2) of Regulation No 1009/67/EEC shall be replaced by the following:

'Articles 8, 9, 16 and 17 shall not apply to the quantity referred to in paragraph 1 which is not carried forward to the following sugar marketing year pursuant to Article 32. However, as an exception, it may be decided that Article 16 shall be applicable in so far as it is necessary to ensure the Community's sugar supply.

In this event, it will be recorded at the same time that the entire quantity of sugar in question may finally be disposed of on the internal market without the amount laid down in paragraph 3 being levied.'

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 14.

Article 3

The following paragraph 3 shall be added to Article 26 of Regulation No 1009/67/EEC:

'3. By way of derogation from paragraphs 1 and 2, the guaranteed quantity for the 1974/75 sugar marketing year shall be fixed by the Council, acting on a proposal from the Commission and in accordance with the voting procedure laid down in Article 43 (3) of the Treaty, after establishment of the system applicable from 1 January 1975 to sugar imports into the Community from certain developing countries.'

Article 4

In Article 34 (2) of Regulation No 1009/67/EEC the amount of 1.80 units of account shall be replaced by 4.00 units of account.

Article 5

This Regulation shall enter into force on the third 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 Luxembourg, 25 June 1974.

For the Council

The President

H. D. GENSCHER

REGULATION (EEC) No 1603/74 OF THE COUNCIL

of 25 June 1974

on the imposition of an export charge on certain cereal, rice, and milk-based products containing added sugar in the event of sugar supply difficulties

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1125/74 ⁽²⁾, and in particular Article 18 (2) thereof;

Having regard to Council Regulation No 359/67/EEC ⁽³⁾ of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 1129/74 ⁽⁴⁾, and in particular Article 20 (2) thereof;

Having regard to Council Regulation (EEC) No 804/68 ⁽⁵⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 662/74 ⁽⁶⁾, and in particular Article 19 (2) thereof;

Having regard to the proposal from the Commission;

Whereas, pursuant to the second subparagraph of Article 16 (1) of Council Regulation No 1009/67/EEC ⁽⁷⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1602/74 ⁽⁸⁾, provision may be made for a special levy to be charged on exports of sugar in the event of Community sugar supply difficulties;

Whereas experience gained in applying this measure has shown that its effectiveness may be impaired in cases where sugar is exported in the form of certain cereal, rice or milk-based products; whereas this is particularly the case for certain mixtures of sugar

and these cereal and rice-based products and also for certain milk products when these mixtures or milk products have a relatively high sugar content; whereas provision should therefore be made for a charge to be imposed on exports of the products in question, fixed on the basis of the special levy on sugar exports when that levy exceeds a certain amount and excessive exports are recorded;

Whereas this additional measure must be adopted by derogating from the rules provided for in Article 18 (2) of Regulation No 120/67/EEC, Article 20 (2) of Regulation No 359/67/EEC and Article 19 (2) of Regulation (EEC) No 804/68,

HAS ADOPTED THIS REGULATION:

Article 1

1. Where a levy exceeding five units of account per 100 kilogrammes is charged on exports of white sugar, the imposition of a charge on exports of the products specified in Article 1 of Regulations No 120/67/EEC, No 359/67/EEC and (EEC) No 804/68 containing a minimum of 20% sucrose or other sugars converted into sucrose may be decided in accordance with the procedure laid down in paragraph 3.

2. The amount of the export charge shall be fixed taking into account:

- the nature of the cereal, rice or milk-based product containing added sugar,
- the content of sucrose or other sugars converted into sucrose of the product in question,
- the price of white sugar in the Community and on the world market,
- the special levy applicable to white sugar and, where appropriate, the export charge applicable

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 128, 10. 5. 1974, p. 12.

⁽³⁾ OJ No 174, 31. 7. 1967, p. 1.

⁽⁴⁾ OJ No L 128, 10. 5. 1974, p. 20.

⁽⁵⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽⁶⁾ OJ No L 85, 29. 3. 1974, p. 51.

⁽⁷⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽⁸⁾ See page 7 of this Official Journal.

to the same products pursuant to Regulations No 120/67/EEC, No 359/67/EEC and (EEC) No 804/68,

No 120/67/EEC or, as the case may be, in the corresponding Article of Regulations No 359/67/EEC and (EEC) No 804/68.

— the economic implications of applying the said charge.

Article 2

3. The detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 26 of Regulation

This Regulation shall enter into force on the third 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 Luxembourg, 25 June 1974.

For the Council

The President

H. D. GENSCHER
