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REGULATION (EEC) No 1989/72 OF THE COMMISSION**of 18 September 1972****amending Regulation (EEC) No 1899/72 on special provisions regarding the denaturing of common wheat of the 1972 crop**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC¹ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 796/72,² and in particular Article 7 (5) thereof;

Whereas Article 3 of Council Regulation No 172/67/EEC³ of 27 June 1967 on general rules governing the denaturing of wheat and rye of bread-making quality, as last amended by Regulation (EEC) No 2096/68⁴ provides that cereals for denaturing must be of a minimum quality and quantity to be determined; whereas Article 4 of that Regulation allows the denaturing premium to be adjusted during the crop year where there is a threat of disturbance on the Community cereals market;

Whereas Commission Regulation (EEC) No 1403/69⁵ of 18 July 1969 laying down detailed rules for the application of the provisions concerning denaturing of common wheat and rye of bread-making quality determined the quality conditions with which the cereals to be denatured must comply;

Whereas the unfavourable weather conditions which prevailed throughout the summer of 1972 have led to the arrival on the market of a considerable quantity of common wheat with a high moisture content, a

particularly low specific weight and an abnormally high proportion of sprouted grains; whereas Regulation (EEC) No 1899/72⁶ of 2 September 1972 lays down rules of quality in respect of such wheat for denaturing which differ from those set out in particular in Article 2 (a), (c) and (d) of Regulation (EEC) No 1403/69;

Whereas the extent to which the quality rules regarding sprouted grains have been relaxed by Article 2 of Regulation (EEC) No 1899/72 has proved insufficient since the effect of the weather conditions on the quality of the common wheat crop was greater than expected in certain regions of the Community, in particular in the Federal Republic of Germany; whereas, consequently, intervention agencies should be authorized to accept for denaturing common wheat containing a higher percentage of sprouted grains than that provided for in Regulation (EEC) No 1899/72;

Whereas the Management Committee for Cereals has not delivered an Opinion within the time limit set by its Chairman;

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be substituted for Article 2 of Regulation (EEC) No 1899/72:

'By way of derogation from Article 2 (d) of Regulation (EEC) No 1403/69, intervention agencies may accept for denaturing common wheat of the 1972 crop qualifying for a denaturing premium, with a content of sprouted

¹ OJ No 117, 19.6.1967, p. 2269/67.

² OJ No L 94, 21.4.1972, p. 7.

³ OJ No 130, 28.6.1967, p. 2602/67.

⁴ OJ No L 308, 23.12.1968, p. 12.

⁵ OJ No L 180, 22.7.1969, p. 3.

⁶ OJ No L 201, 2.9.1972, p. 11.

grains, other cereals and various impurities of up to 17%, of which not more than 15% shall be sprouted grains, not more than 3% shall be other cereals and not more than 3% shall be various impurities.'

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, 18 September 1972.

For the Commission

The President

S. L. MANSHOLT
