

REGULATION (EEC) No 1071/74 OF THE COMMISSION

of 30 April 1974

on fixation of additional amounts and stating the reasons for monetary compensatory amounts for certain pigmeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 121/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in pigmeat, as last amended by Regulation (EEC) No 1652/73⁽²⁾ and in particular Article 13(5) thereof;

Having regard to Council Regulation No 974/71/EEC⁽³⁾ of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States, as last amended by Regulation (EEC) No 3450/73⁽⁴⁾ and in particular Article 6(1) thereof;

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 202/67/EEC⁽⁵⁾ of 28 June 1967 on fixing the additional amount for imports of pigmeat products from third countries, as last amended by Regulation No 614/67/EEC⁽⁶⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1(1) of Regulation 121/67/EEC indicates that additional amounts shown in the Annex specified according to product and country of origin should be fixed at the level there indicated;

Whereas in Council Regulation No 137/67/EEC⁽⁷⁾ of 13 June 1967, as last amended by Regulation (EEC) No 3158/73⁽⁸⁾, the general rules for fixation of additional amounts for those products are laid down, for which no sluice-gate price is fixed;

Whereas Regulation No 202/67/EEC provides certain detailed rules, especially as concerns the constation of the free-at-frontier offers for those products; Whereas according to the information given to the Commission the offers from third countries at which constation, as well as the prices indicated in tariff papers as also all other indications of the prices constated in third countries, was taken into account, in such a way that the additional amounts for these products should be fixed at the level indicated in the Annex;

Whereas, according to Article 1 of Regulation No 12/65/EEC⁽⁹⁾ and Regulation (EEC) No 564/64⁽¹⁰⁾, No 998/68⁽¹¹⁾, No 2260/69⁽¹²⁾, and No 1570/71⁽¹³⁾, the levy for certain products mentioned in the Regulations with origin in the Federal Republic of Austria, the People's Republic of Poland, the Hungarian People's Republic, the Socialist Republic of Romania, and the People's Republic of Bulgaria should not be increased by an additional amount;

Whereas it is provided for in Article 4a(2) of Regulation (EEC) No 974/71 that the compensatory amounts granted because of a lower value of a currency should surpass the import charge.

Whereas inclusion of the additional amount in the 'import charge', would neutralize the effect of this amount, whereas this would also lead to a different import charge, depending upon whether the products came from a third country, which has adopted the guarantee to respect the sluice-gate price, or not.

Whereas this would lead to the consequence that imports from such third countries, for which no additional amount is fixed, because they respect the sluice-gate price, would be submitted to the same effective import charge as all other third countries.

Whereas such an application would make a meaningful management of the import provisions in relation to third countries impossible, and might lead to distortions as well as of the trade with third countries as of the intracommunity trade and to other disturbances of the market.

Whereas it is therefore appropriate in the sense of the provision mentioned by 'import charge' only to under-

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2283/67.

⁽²⁾ OJ No L 166, 23. 6. 1973, p. 1.

⁽³⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁴⁾ OJ No L 353, 22. 12. 1973, p. 25.

⁽⁵⁾ OJ No 134, 30. 6. 1967, p. 2837/67.

⁽⁶⁾ OJ No 231, 27. 9. 1967, p. 6.

⁽⁷⁾ OJ No 122, 22. 6. 1967, p. 2395/67.

⁽⁸⁾ OJ No L 322, 23. 11. 1973, p. 1.

⁽⁹⁾ OJ No 155, 18. 9. 1965, p. 2560/65.

⁽¹⁰⁾ OJ No L 107, 8. 5. 1968, p. 6.

⁽¹¹⁾ OJ No L 170, 19. 7. 1968, p. 14.

⁽¹²⁾ OJ No L 286, 14. 11. 1969, p. 22.

⁽¹³⁾ OJ No L 165, 23. 7. 1971, p. 23.

stand the amount of the levy, and therefore to limit the compensatory amount granted on pigmeat caused by a lower value of a currency to this amount ;

Whereas the Management Committee for pigmeat has not delivered an opinion within the time-limit set by its Chairman,

HAS ADOPTED THIS REGULATION :

Article 1

The additional amounts provided for in Article 13 of Regulation No 121/67/EEC, are fixed as shown in the

Annex concerning the products mentioned in Article 1 (1) of that Regulation and mentioned in that Annex.

Article 2

The compensatory amount granted because of a lower value of a currency cannot exceed the amount of levy fixed according to the provisions of Articles 9 and 10 of Regulation No 121/67/EEC.

Article 3

This Regulation shall enter into force on 1 May 1974.

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

Done at Brussels, 30 April 1974.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

Supplementary amounts for specified products in Article 1 (1) of Regulation No 121/67/EEC (1)

CCT heading No	Description of goods	Supplementary amount u.a./100 kg	Description of imports
01.03	Live swine : A. Domestic species : II. Other : a) Sows having farrowed at least once, of a weight of not less than 160 kg b) Other	3-30 3-80	<i>All origins</i> with the exception of: Austria, Poland, Romania and Bulgaria
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen A. Meat : III. Of swine : a) Of domestic swine : 1. Carcasses or half-carcasses with or without heads, feet or flare fat 2. Hams and cuts of hams, unboned (bone-in) 3. Shoulders and cuts of shoulders, unboned (bone-in) 4. Loins and cuts of loins, unboned (bone-in) 5. Bellies (streaky) and cuts of bellies 6. Other : aa) Boned or boneless and frozen bb) Other	5-00 7-80 6-10 8-10 4-40 8-10 8-10	with the exception of: Poland, Hungary, Romania, Bulgaria and Austria with the exception of: Hungary and Bulgaria with the exception of: Hungary and Bulgaria with the exception of: Hungary and Bulgaria
02.05	Pig fat free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked : A. back-fat : I. Fresh, chilled, frozen, salted or in brine II. Dried or smoked	10-00 10-00	
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked : B. Meat and edible meat offals of domestic swine : I. Meat : a) Salted or in brine : 1. Carcasses or half-carcasses, with or without heads, feet or flare fat	5-00	

CCT heading No	Description of goods	Supplementary amount u.a./100 kg	Description of imports
02.06 (cont'd)	2. Bacon sides, spencers, 3/4 sides and middles : aa) Bacon sides bb) Spencers cc) 3/4 sides and middles 3. Hams and cuts of hams, unboned (bone-in) 4. Shoulders and cuts of shoulders, unboned (bone-in) 5. Loins and cuts of loins, unboned (bone-in) 6. Bellies (streaky) and cuts of bellies 7. Other	5.00 5.00 5.00 7.80 6.10 8.10 4.40 8.10	

(1) The specification of the products results from Annex II to Regulation No 137/67/EEC.