

## REGULATION (EEC) No 2770/75 OF THE COUNCIL

of 29 October 1975

laying down general rules for the system of accession compensatory amounts for pigmeat

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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

Having regard to the proposal from the Commission;

Whereas pursuant to Article 55 of the Act the differences in price levels for agricultural products between the Community as originally constituted and the new Member States are to be compensated by the levying or granting of compensatory amounts applicable in trade between them, and between the new Member States and third countries; whereas such compensatory amounts for pigmeat must be calculated in accordance with Article 75 of the Act;

Whereas the compensatory amount per kilogramme of pig carcase must be calculated on the basis of the compensatory amount applicable to the quantity of feed grain required for the production of 1 kilogramme of pigmeat in the Community; whereas this quantity of feed grain was fixed in Article 1 of Council Regulation (EEC) No 2764/75<sup>(2)</sup> of 29 October 1975 laying down the rules for calculating a component of the levy on pig carcasses;

Whereas the compensatory amounts for feed grain were fixed in accordance with Council Regulation (EEC) No 2757/75<sup>(3)</sup> of 29 October 1975 laying down general rules for the system of accession compensatory amounts for cereals;

Whereas the economic situation of pig production in the new Member States should also be taken into account;

Whereas the compensatory amount for the other products specified in Council Regulation (EEC) No 2759/75<sup>(4)</sup> of 29 October 1975 on the common organization of the market in pigmeat, must be derived from the compensatory amount for pig carcasses with the help of the coefficients used in calculating the levy;

Whereas under Article 7 of Regulation (EEC) No 2757/75 the charging or granting of compensatory amounts for cereals may be limited in order to deal with the situation referred to in Article 56 of the Act; whereas such limitation must be taken into account for pigmeat products, in as much as they are derived from cereals, if the proper functioning of the common organization of the markets is to be assured; whereas lard, which is subject to particular market conditions in certain new Member States, should furthermore be exempt from this limitation of compensatory amounts;

Whereas since the aim of the compensatory amounts in intra-Community trade is to provide satisfactory conditions for the movement of products between two Member States with different price levels, a compensatory amount must be levied on imports into a Member State having a higher price level for feed grain, and, conversely, must be granted for exports to a Member State having a lower price level for feed grain;

Whereas, consequently, Article 55 (1) (a) of the Act, under which compensatory amounts are to be levied by the importing Member State or granted by the exporting Member State, means that the task of levying or granting these amounts falls to the Member State having the higher price level for feed grain;

(1) OJ No L 73, 27. 3. 1972, p. 5.

(2) See page 21 of this Official Journal.

(3) OJ No L 281, 1. 11. 1975, p. 104.

(4) See page 1 of this Official Journal.

Whereas rules must be laid down for the levying and granting of compensatory amounts in such a way as to avoid deflection of trade,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

1. The accession compensatory amounts for domestic pigmeat, in the form of carcasses or half-carcasses, with or without heads, feet or flare fat, falling within subheading 02.01 A III a) 1 of the Common Customs Tariff, and hereinafter designated 'pig carcasses', applicable in trade between the Community as originally constituted and the new Member States, and between those States and third countries, shall be calculated on the basis of the amounts specified in paragraph 2 by reference to the variation in the accession compensatory amounts applicable for the quantity of feed grain required to produce one kilogramme of pigmeat in the Community.

2. The amounts referred to in paragraph 1 shall be the following compensatory amounts, valid for June/July 1973:

	<i>u.a./100 kg</i>
Denmark	1.36
Ireland	5.60
United Kingdom	13.30

#### *Article 2*

The accession compensatory amounts for the products specified in Article 1 (1) of Regulation (EEC) No 2759/75, other than pig carcasses, applicable in trade between the Community as originally constituted and the new Member States, and between those States and third countries, shall be derived from the accession compensatory amount applicable to pig carcasses with the aid of the coefficients expressing the ratio referred to in Article 10 (1) and (2) (a) of the Regulation aforesaid.

#### *Article 3*

1. If Article 7 of Regulation (EEC) No 2757/75 is applied during one or more days in the course of the first 75 days of any quarter up to 1 August, 1 November, 1 February or 1 May, the amount applicable in the following quarter as the

compensatory amount for the products referred to in Articles 1 and 2 shall be determined every quarter by reference to the average of the amounts determined during the first 75 days of the previous quarter for the cereals included in the quantity of feed grain referred to in Article 1 of Regulation (EEC) No 2764/75.

However, if the amount varies by less than 5 % from the amount determined for the previous quarter, the latter amount shall remain unchanged.

2. The provisions of paragraph 1 shall not apply to the compensatory amount for products falling within subheading 15.01 A of the Common Customs Tariff.

#### *Article 4*

The accession compensatory amounts applicable in trade between two new Member States shall be equal to the difference between the accession compensatory amounts applicable in trade between each of those States and the Community as originally constituted.

#### *Article 5*

In trade between the new Member States and between those States and the Community as originally constituted, the accession compensatory amounts shall be granted or levied by whichever Member State has the higher price level for the quantity of feed grain specified in Article 1 of Regulation (EEC) No 2764/75.

#### *Article 6*

1. In trade between the new Member States and third countries, the accession compensatory amounts shall be deducted from the levies or refunds.

2. If an accession compensatory amount is fixed for a given product and the refund is lower than that compensatory amount or has not been fixed, then, when the product in question is exported to a third country, provision may be made for the new Member State in question to levy an amount which shall not exceed the difference between the accession compensatory amount and the refund or, as the case may be, the accession compensatory amount.

#### *Article 7*

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

*Article 8*

1. Detailed rules for the granting, levying and recovery of the accession compensatory amounts shall be such as to prevent, in particular, deflection of trade and shall be adopted in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75.

2. Detailed rules for the application of this Regulation and in particular the compensatory amounts, other than those fixed in Article 1 (1) shall be drawn up by the same procedure.

3. The amounts referred to in Article 3 shall be determined by the Commission.

*Article 9*

1. Council Regulation (EEC) No 234/73 <sup>(1)</sup> of 31 January 1973 laying down general rules for the system of compensatory amounts for pigmeat, as amended by Regulation (EEC) No 2879/73 <sup>(2)</sup>, is hereby repealed.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

*Article 10*

This Regulation shall enter into force on 1 November 1975.

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

Done at Luxembourg, 29 October 1975.

*For the Council*

*The President*

G. MARCORA

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<sup>(1)</sup> OJ No L 29, 1. 2. 1973, p. 1.

<sup>(2)</sup> OJ No L 297, 25. 10. 1973, p. 3.