

REGULATION (EEC) No 2781/75 OF THE COUNCIL

of 29 October 1975

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

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, 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, pursuant to Article 55 of the Act, differences in the price levels of agricultural products between the Community as originally constituted and the new Member States are to be compensated by levying or granting compensatory amounts applicable in trade between the new Member States and in trade between the new Member States and third countries; whereas such amounts are to be calculated in respect of poultrymeat in accordance with Article 79 of the Act;

Whereas the compensatory amount applicable per kilogramme of slaughtered poultry must be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain which is required for the production in the Community of one kg of slaughtered poultry; whereas this quantity of feed grain was fixed in Annex I to Council Regulation (EEC) No 2778/75⁽²⁾ of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat;

Whereas the compensatory amount applicable per chick is calculated in accordance with the same criteria;

Whereas the compensatory amounts applicable to feed grain were fixed in accordance with Council

Regulation (EEC) No 2757/75⁽³⁾ of 29 October 1975 laying down general rules for the system of accession compensatory amounts for cereals;

Whereas, moreover, account should be taken of the economic situation of poultry production in the new Member States;

Whereas, the compensatory amount for the other products covered by Council Regulation (EEC) No 2777/75⁽⁴⁾ of 29 October 1975 on the common organization of the market in poultrymeat, must be derived from the compensatory amount applicable to slaughtered poultry with the help of the coefficients used for the calculation of the levy;

Whereas, in pursuance of Article 7 of Regulation (EEC) No 2757/75 the levying or granting of compensatory amounts for cereals can be limited in order to deal with the situation referred to in Article 56 of the Act; whereas it is necessary to take this restriction into account for poultrymeat products, viewed as products derived from cereals, in order to ensure the proper functioning of the common organization of the market;

Whereas, since the aim of 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 for imports into a Member State having a higher price level for feed grain and, conversely, such an amount 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 such amounts falls to the Member State having the highest price level for feed grain;

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

(2) See page 84 of this Official Journal.

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

(4) See page 77 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

The accession compensatory amounts for slaughtered poultry and chicks 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 shown in the Annex by reference to the variation in the accession compensatory amounts applicable for the quantity of feed grain necessary for production in the Community of 1 kg of poultrymeat or one chick.

Article 2

The accession compensatory amounts for the products referred to in Article 1 (2) (d) of Regulation (EEC) No 2777/75 (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 slaughtered poultry with the help of the coefficients expressing the ratios referred to in Article 5 (1) of the abovementioned Regulation.

Article 3

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 2778/75.

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

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 those new Member States respectively 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 levied or granted by that one of the two Member States concerned whose price level for the quantity of feed grain referred to in Annex I of Regulation (EEC) No 2778/75 is the higher.

Article 6

1. In trade between the new Member States and third countries, the accession compensatory amounts shall be deducted from levies and 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 accession compensatory amounts shall be laid down in such a way as to prevent, in particular, deflection of trade and in accordance with the procedure laid down in Article 17 of Regulation (EEC) No 2777/75.

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

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

Article 9

1. Council Regulation (EEC) No 235/73 ⁽¹⁾ of 31 January 1973 laying down general rules for the system of compensatory amounts for poultrymeat, as amended by Regulation (EEC) No 2880/73 ⁽²⁾, 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

⁽¹⁾ OJ No L 29, 1. 2. 1973, p. 4.

⁽²⁾ OJ No L 297, 25. 10. 1973, p. 4.

ANNEX

CCT heading No	Description of goods	Trade with		
		Denmark	Ireland	United Kingdom
1	2	3	4	5
01.05	Live poultry, that is to say, fowl, ducks, geese, turkeys, and guinea fowls: A. Of a weight not exceeding 185 g (known as 'chicks')	u.a./100 units	u.a./100 units	u.a./100 units
		0-1328	0-7175	1-4127
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys, and guinea fowls) and edible offals thereof (except liver), fresh, chilled, or frozen: A. Whole poultry: I. Fowl: a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and gutted, without heads and feet, but with hearts, livers, and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens' II. Ducks: a) Plucked, bled, not drawn or gutted with heads and feet, known as '85 % ducks' b) Plucked and drawn, without heads and feet, but with hearts, livers and gizzards, known as '70 % ducks' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '63 % ducks' III. Geese: a) Plucked, bled, not drawn, with heads and feet, known as '82 % geese' b) Plucked and drawn, without heads and feet, with or without hearts and gizzards, known as '75 % geese' IV. Turkeys V. Guinea fowls	u.a./100 kg	u.a./100 kg	u.a./100 kg
		0-3346	3-7294	6-6737
		0-3859	4-3016	7-6976
		0-4277	4-7678	8-5318
		1-0278	5-5428	10-9547
		1-2486	6-7334	13-3077
		1-3861	7-4750	14-7735
		1-1038	5-9527	11-7648
		1-2051	6-4992	12-8448
		0-9699	5-2306	10-3376
		1-5091	8-1386	16-0840