

COUNCIL REGULATION (EEC) No 388/81**of 10 February 1981****amending Regulation (EEC) No 1592/80 on the application of the system of production quotas in the sugar and isoglucose sectors during the period 1 July 1980 to 30 June 1981**

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⁽¹⁾,

Whereas by Article 3 of Council Regulation (EEC) No 1293/79 of 25 June 1979, amending Regulation (EEC) No 1111/77 laying down common provisions for isoglucose⁽²⁾, a production quota system for isoglucose was introduced for the period 1 July 1979 to 30 June 1980; whereas this system was rendered applicable for the period 1 July 1980 to 30 June 1981 by Article 2 of Regulation (EEC) No 1592/80⁽³⁾;

Whereas in Cases No 138/79 and No 139/79 the Court of Justice of the European Communities, on 29 October 1980, annulled Regulation (EEC) No 1293/79 on the grounds of an infringement of an essential procedural requirement; whereas, in order to avoid any doubts as to the legality of Article 2 of Regulation (EEC) No 1592/80, it is appropriate that this Article should henceforth contain a reference to Article 9 of Regulation (EEC) No 1111/77⁽⁴⁾ in the version established in Council Regulation (EEC) No 387/81⁽⁵⁾,

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

Done at Brussels, 10 February 1981.

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 1592/80 shall be amended as follows :

1. Article 2 shall be replaced by the following :

'Article 2

1. Article 9 of Regulation (EEC) No 1111/77, in the version as amended by Regulation (EEC) No 387/81, shall apply during the period 1 July 1980 to 30 June 1981.

2. The basic quota of each isoglucose-producing undertaking shall, for the period 1 July 1980 to 30 June 1981, be that applicable during the period 1 July 1979 to 30 June 1980 pursuant to Regulation (EEC) No 387/81.'

2. The following footnote shall be added at the bottom of the page :

'(1) OJ No L 44, 17. 2. 1981, p. 1.'

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 July 1980.

For the Council

The President

G. BRAKS

⁽¹⁾ Opinion delivered on 9 February 1981 (not yet published in the Official Journal)

⁽²⁾ OJ No L 162, 30. 6. 1979, p. 10.

⁽³⁾ OJ No L 160, 26. 6. 1980, p. 12.

⁽⁴⁾ OJ No L 134, 28. 5. 1977, p. 4.

⁽⁵⁾ See page 1 of this Official Journal.