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REGULATION (EEC) No 644/68 OF THE COUNCIL

of 29 May 1968

amending Regulation No 172/67/EEC on general rules governing the denaturing of wheat and rye of bread-making quality

THE COUNCIL 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 organisation of the market in cereals, as amended by Regulation (EEC) No 643/68,² and in particular Articles 7 (4) and 23 (4a) thereof;

Having regard to the proposal from the Commission;

Whereas Article 4 (1) of Council Regulation No 172/67/EEC³ of 27 July 1967 on general rules governing the denaturing of wheat and rye of bread-making quality provides that the denaturing premium shall be fixed before the beginning of the crop year for the whole crop year; whereas experience has shown that the inability to adjust that premium during the crop year can, when the factors on which it is based change considerably during the year, reduce or increase the incentive to denature cereals, thus disturbing the balance of the market, in particular when the market situation obliges intervention agencies to buy in large quantities of cereals; whereas, therefore, although it is necessary to publish the amount of the premium before the beginning of the crop year, adjustments should be allowed where the balance of the market is likely to be disturbed by the factors referred to above;

Whereas, when Italy makes use of the facilities offered by Article 23 of Regulation No 120/67/EEC, feed grain imported into that country at a reduced levy or with a subsidy is placed in a more competitive position than the denatured wheat which can be used in its place; whereas the purpose of Community rules is to enable denatured common wheat to compete with barley on the home market, as the preamble to Regulations No 172/67/EEC and No (EEC) 643/68 shows quite clearly; whereas the same principle was adopted in Regulation No 160/67/EEC⁴

in connection with denaturing and disposal on the home market of denatured common wheat held by the intervention agencies; whereas, therefore, a system of subsidies and charges should be established to restore the balance between the markets in denatured common wheat and in other feed grains;

Whereas it follows from this desire to achieve a balance between denatured common wheat and barley that the denaturing premium granted in Italy for common wheat when that State uses the facility granted to it for importing that cereal at a reduced levy should be increased;

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be added to Article 4 (1) of Regulation No 172/67/EEC:

'It may, however, be adjusted during the crop year where the balance of the market in cereals is likely to be disturbed.'

Article 2

The following Article 6a shall be added to Regulation No 172/67/EEC:

'1. If Italy makes use of the power conferred by Article 23 (1) of Regulation No 120/67/EEC, that State shall grant a subsidy for denatured common wheat delivered by sea from other Member States, equal to the reduction in the levy applied to barley imported by the same means.

2. If Italy makes use of the power conferred by Article 23 (2) of Regulation No 120/67/EEC, that State shall:

— charge on denatured common wheat despatched to other Member States a levy equal to the reduction in the levy on barley in accordance with that provision, and

— grant a subsidy of the same amount for denatured common wheat delivered from other Member States.

¹ OJ No 117, 19.6.1967, p. 2269/67.

² OJ No L 122, 30.5.1968, p. 1.

³ OJ No. 130, 28.6.1967, p. 2602/67.

⁴ OJ No 128, 27.6.1967, p. 2545/67.

3. If Italy makes use of the power conferred by Article 23 (2) of Regulation No 120/67/EEC, an amount equal to that of the reduction in the levy charged on barley in accordance with the provision referred to above shall be added to the denaturing premium applicable in Italy.'

Article 3

This Regulation shall enter into force on the third day following 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, 29 May 1968.

For the Council

The President

E. FAURE
