REGULATION (EEC) No 1125/74 OF THE COUNCIL

of 29 April 1974

amending Regulation No 120/67/EEC on the common organization of the market in cereals

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;

Whereas Council Regulation No 120/67/EEC (1) of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73 (2), provides for the fixing of a basic intervention price for barley; whereas, in the light of experience, the fixing of such a price should be abolished and replaced by the fixing of a single intervention price with a view to promoting the interplay of market forces in respect of barley;

Whereas the fixing of the marketing year for maize from 1 August to 31 July does not correspond to the agricultural cycle of the cereal in question; whereas this discrepancy encourages the use of maize on the market at the beginning of the marketing year for barley, which results at such times in an abnormal degree of intervention on the market in barley; whereas, in order to avoid such a situation, a new date should be fixed for the beginning of the marketing year for maize which is more in line with its agricultural cycle and a system of carry-over payments similar to that for other cereals should be introduced for maize in stock at the end of the marketing year;

Whereas the production refund for quellmehl was initially granted with a view to promoting certain specific uses of quellmehl as a food for human consumption, account being taken of the possibility of its competing with a number of other products;

Whereas experience has shown that the opportunity for such substitution is economically slight, if not non-existent; whereas the production refund for quellmehl should therefore be abolished;

Whereas a manufacturing process known as direct hydrolysis is at present being used in the Community whereby glucose is produced from maize groats thus bypassing the 'starch' stage; whereas glucose produced from starch in the traditional manner benefits indirectly from the production refund granted for maize to be used in the manufacture of starch; whereas, in order to avoid any distortion of competition between glucose manufacturers according to which of the two manufacturing processes they use, a production refund should be granted for maize groats or meal used in the Community for the manufacture of glucose by direct hydrolysis;

Whereas, pursuant to Annex A to Regulation No 120/67/EEC, rice pellets are included under the common organization of the market in cereals, while, in fact, the product comes under the common organization of the market in rice; whereas this product should therefore no longer appear in the said Annex,

HAS ADOPTED THIS REGULATION:

Article 1

The second indent of Article 2 (1) of Regulation No 120/67/EEC shall be replaced by the following:

'— a basic intervention price for common wheat;'.

Article 2

Article 3 of Regulation No 120/67/EEC shall be replaced by the following:

'*Article 3*

With the exception of maize, for which it shall begin on 1 October and end on 30 September of the following year, the marketing year for all products referred to in Article 1 shall begin on 1 August and end on 31 July of the following year; the 1974/75 marketing year for maize shall, however, begin on 1 August 1974 and end on 30 September 1975.'

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(1) OJ No 117, 19. 6. 1967, p. 2269/67.
(2) OJ No L 141, 28. 5. 1973, p. 8.

Article 3

In Article 4 of Regulation No 120/67/EEC:

1. The first subparagraph of paragraph 1 shall be replaced by the following:

   'In order to guarantee to producers that the market price does not fall below a minimum level, derived intervention prices for common wheat shall be fixed for the Community, in addition to the basic intervention price.'

2. Paragraph 2 shall be replaced by the following:

   'For barley, rye, durum wheat and maize, for which no basic intervention price is laid down, single intervention prices shall be fixed for the Community for all the marketing centres determined for those cereals. These prices shall correspond to the lowest derived intervention prices which would have been fixed in the Community, had paragraph 1 been applied in respect of the said cereals.'

3. The second subparagraph of paragraph 3 shall be replaced by the following:

   'The intervention price for maize shall be effective from 1 October to 31 July of the following year. From 1 August to 30 September, the intervention prices effective for October of the following marketing year shall apply. However, for the 1974/75 marketing year, the intervention price for maize shall be effective from 1 August 1974 to 31 July 1975.'

4. Paragraph 4 (a) shall be replaced by the following:

   'for each Member State, the marketing centre for common wheat to which the lowest intervention price applies and the relevant price;'

5. Paragraph 4 (c) shall be replaced by the following:

   'the single intervention prices for barley, rye, durum wheat and maize.'

Article 4

In Article 9 of Regulation No 120/67/EEC:

— maize shall be added to the list of cereals in paragraph 1 for which a carry-over payment may be granted;

— paragraph 2 shall be replaced by:

'For maize, the carry-over payment shall be limited to quantities in stock in areas of surplus production.'

Article 5

The text of Article 11 (1) of Regulation No 120/67/EEC shall be replaced by the following:

'1. A production refund shall be granted:

(a) for maize and common wheat used in the Community for the manufacture of starch;

(b) for potato starch;

(c) for maize groats and meal (gritz) used in the Community for the manufacture of glucose by direct hydrolysis;

(d) for maize used in the Community by the maize industry for the manufacture of maize groats and meal (gritz) used in the Community brewing industry for the production of beer.'

Article 6

With effect from 1 September 1974, the text of tariff subheading No ex 11.02 F in Annex A to Regulation No 120/67/EEC shall be replaced by:

'ex 11.02 ex F. Pellets except rice pellets.'

Article 7

This Regulation shall enter into force on 1 August 1974.

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

Done at Luxembourg, 29 April 1974.

For the Council

The President

J. ERTL