

REGULATION (EEC) No 538/68 OF THE COUNCIL

of 29 April 1968

amending Regulation No 131/67/EEC as regards the transport costs taken for the calculation of derived intervention prices for cereals

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, and in particular Article 4 (5) thereof;

Having regard to the proposal from the Commission;

Whereas, in accordance with Article 11 (1) of Council Regulation No 131/67/EEC² of 12 June 1967 laying down rules for deriving intervention prices and for determining certain intervention centres for cereals, the provisions of Article 2 of that Regulation may be derogated from when calculating derived intervention prices for the 1967/68 marketing year; whereas it was thus not necessary in that marketing year, when determining inland waterway freight charges not covered by a tariff, to take into account the lowest average of such charges recorded over a period of two months selected from the twelve months preceding the month for which the prices are fixed;

Whereas the reference period provided for in the second paragraph of Article 2 of Regulation No

131/67/EEC, to be taken for fixing derived intervention prices for the 1968/69 marketing year, began before the entry into force of the common organisation of the market in cereals, and thus the old system was in force during part of it; whereas the effect of the common organisation of the market on trade will also extend to freight charges; whereas it is therefore necessary, in order to evaluate precisely the information required under the second paragraph of Article 2 of Regulation No 131/67/EEC, to refer to a period in which the new system applies; whereas, until the markets are finally adapted to the common organisation, the power to derogate from the second paragraph of Article 22 of Regulation No 131/67/EEC, in accordance with Article 11 (1) of that Regulation, should consequently be extended to the 1968/69 marketing year;

HAS ADOPTED THIS REGULATION:

Sole Article

The following shall be substituted for Article 11 (1) of Regulation No 131/67/EEC:

'1. When derived intervention prices are being determined the provisions of Article 2 may be derogated from for the 1967/68 marketing year, and those of the second paragraph of that Article may be derogated from for the 1968/69 marketing year.'

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

Done at Luxembourg, 29 April 1968.

For the Council

The President

E. FAURE

¹ OJ No 117, 19.6.1967, p. 2269/67.

² OJ No 120, 21.6.1967, p. 2362/67.