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## REGULATION (EEC) No 1253/70 OF THE COUNCIL

of 29 June 1970

amending several agricultural Regulations as regards licences and levies

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 136/66/EEC<sup>1</sup> of 22 September 1966 on the common organisation of the market in oils and fats, as amended by Regulation (EEC) No 2146/68,<sup>2</sup> and in particular Article 17 (1) thereof;

Having regard to Council Regulation No 162/66/EEC<sup>3</sup> of 27 October 1966 on trade in oils and fats between the Community and Greece, and in particular Article 8 thereof;

Having regard to Council Regulation No 120/67/EEC<sup>4</sup> of 13 June 1967 on the common organisation of the market in cereals, as last amended by Regulation (EEC) No 2463/69,<sup>5</sup> and in particular Article 16 (5) thereof;

Having regard to council Regulation No 122/67/EEC<sup>6</sup> of 13 June 1967 on the common organisation of the market in eggs, as last amended by Regulation (EEC) No 436/70,<sup>7</sup> and in particular the fourth subparagraph of Article 9 (2) thereof;

Having regard to Council Regulation No 359/67/EEC<sup>8</sup> of 25 July 1967 on the common organisation of the market in rice, as last amended by Regulation (EEC) No 2463/69, and in particular Article 17 (5) thereof;

Having regard to Council Regulation No 1009/67<sup>9</sup> of 18 December 1967 on the common organisation of

the market in sugar, as last amended by Regulation (EEC) No 853/70,<sup>10</sup> and in particular the fifth subparagraph of Article 17 (2) thereof;

Having regard to Council Regulation (EEC) No 804/68<sup>11</sup> of 27 June 1968 on the common organisation of the market in milk and milk products, as last amended by Regulation (EEC) No 2622/69,<sup>12</sup> and in particular Article 17 (3) thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament<sup>13</sup>;

Whereas Regulations Nos 136/66/EEC, 120/67/EEC, 359/67/EEC, 1009/67/EEC and (EEC) No 804/68 provide that all imports or exports of the products concerned into or out of the Community shall be conditional on the submission of import or export licences; whereas those Regulations introduced rules for the advance fixing of levies or refunds; whereas, taking particular account of the widening field of application of import and export licences throughout the Community, it should be specified that, where levies or refunds are fixed in advance, those licences should be used as supporting documents for such advance fixing in accordance with present practice;

Whereas certain Regulations on the common organisation of the market in different sectors provide that the rules for the advance fixing of levies are adopted by the Commission in accordance with the Management Committee procedure; whereas other Regulations remain silent on this point; whereas in consequence, uniformity in the rules is lacking in certain instances in the different sectors; whereas in the interests of good management, it is advisable that common rules for the different sectors should be adopted in accordance with the same procedure;

<sup>1</sup> OJ No 172, 30.9.1966, p. 3025/66.

<sup>2</sup> OJ No L 314, 31.12.1968, p. 1.

<sup>3</sup> OJ No 197, 29.10.1966, p. 3393/66.

<sup>4</sup> OJ No 117, 19.6.1967, p. 2269/67.

<sup>5</sup> OJ No 312, 12.12.1969, p. 3.

<sup>6</sup> OJ No 117, 19.6.1967, p. 2293/67.

<sup>7</sup> OJ No L 55, 10.3.1969, p. 1.

<sup>8</sup> OJ No 174, 31.7.1967, p. 1.

<sup>9</sup> OJ No 308, 18.12.1967, p. 1.

<sup>10</sup> OJ No L 103, 13.5.1970, p. 2.

<sup>11</sup> OJ No L 148, 28.6.1968, p. 2.

<sup>12</sup> OJ No L 328, 30.12.1969 p. 8.

<sup>13</sup> OJ No C 80, 1.7.1970, p. 17.

Whereas Regulations Nos 120/67/EEC, 121/67/EEC,<sup>1</sup> 168/67/EEC,<sup>2</sup> 175/67/EEC,<sup>3</sup> 359/67/EEC, 1009/67/EEC, (EEC) No 804/68, (EEC) 805/68,<sup>4</sup> (EEC) No 865/68,<sup>5</sup> (EEC) No 204/69,<sup>6</sup> and (EEC) No 816/70<sup>7</sup> concerning different sectors of agricultural production provide that from 1 July 1970 import and export licences and advance fixing certificates, as the case may be, shall be valid for transactions throughout the Community; whereas the period laid down for implementing this principle has been shown to be inadequate; whereas it is therefore necessary to extend this period;

HAS ADOPTED THIS REGULATION:

#### Article 1

1. The following sentence shall be added to the first subparagraph of Article 17 (1) of Regulation No 136/66/EEC, the first subparagraph of Article 12 (1) of Regulation No 120/67/EEC, the first subparagraph of Article 10 (1) of Regulation No 359/67/EEC and the first subparagraph of Article 11 (1) of Regulation No 1009/67/EEC:

'Where the levy or refund is fixed in advance, the advance fixing shall be noted on the licence which serves as a supporting document for such advance fixing.'

2. The following sentence shall be added to Article 13 (1) of Regulation (EEC) No 804/68:

'Where the refund is fixed in advance, the advance fixing shall be noted on the licence which serves as a supporting document for such advance fixing.'

#### Article 2

1. The following paragraphs shall be substituted for paragraph 5 of Article 15 of Regulation No

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

Done at Luxembourg, 29 June 1970.

120/67/EEC and paragraph 5 of Article 13 of Regulation No 359/67/EEC;

'5. Detailed rules for advance fixing shall be adopted in accordance with the procedure laid down in Article 26.

6. Premium scales shall be adopted by the Commission.'

#### Article 3

The date '1 January 1971' shall be substituted for '1 January 1970' in:

- the third subparagraph of Article 12 (1) of Regulation No 120/67/EEC;
- the second subparagraph of Article 14 (1) of Regulation No 121/67/EEC;
- Article 2 of Regulation No 168/67/EEC;
- the second subparagraph of Article 5a (1) of Regulation No 175/67/EEC;
- the second subparagraph of Article 10 (1) of Regulation No 359/67/EEC;
- the second subparagraph of Article 11 (1) of Regulation No 1009/67/EEC;
- the first and second indents in the second subparagraph of Article 13 (2) of Regulation (EEC) No 804/68;
- the second subparagraph of Article 15 (1) of Regulation (EEC) No 805/68;
- the second subparagraph of Article 6 (1) of Regulation (EEC) No 865/68;
- the second subparagraph of Article 6 (1) of Regulation (EEC) No 204/69;
- the second subparagraph of Article 8 (2) of Regulation (EEC) No 816/70.

#### Article 4

This Regulation shall enter into force on 1 July 1970.

For the Council

The President

Ch. HEGER

<sup>1</sup> OJ No 117, 19.6.1967, p. 2283/67.

<sup>2</sup> OJ No 130, 28.6.1967, p. 2593/67.

<sup>3</sup> OJ No 130, 28.6.1967, p. 2610/67.

<sup>4</sup> OJ No L 148, 28.6.1968, p. 24.

<sup>5</sup> OJ No L 153, 1.7.1968, p. 8.

<sup>6</sup> OJ No L 29, 5.2.1969, p. 1.

<sup>7</sup> OJ No L 99, 5.5.1970, p. 1.