

## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 1826/77  
of 5 August 1977**

**amending Regulation (EEC) No 1599/75 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,  
Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Whereas Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories <sup>(2)</sup>, as last amended by Regulation (EEC) No 405/76 <sup>(3)</sup>, provides in particular for the reduction of import levies on certain agricultural products;

Whereas some of these products are subject to the system of accession compensatory amounts in trade between the Community as originally constituted and the new Member States; whereas the application of such amounts to products benefiting from the arrangements provided for in Regulation (EEC) No 1599/75 is as a rule likely to lead to deflection of trade; whereas Article 22 of that Regulation consequently provided for measures to prevent such deflection;

Whereas, however, no risk of trade deflection can exist for the products listed in Article 8 of Regulation (EEC) No 1599/75; whereas this is due to the obliga-

tion laid down in Article 9 of that Regulation whereby the cif price, at the time of exportation from the ACP States or overseas countries and territories increased by the reduced levy, must be equal to or more than the threshold price, adjusted if necessary for the product in question, reduced by a certain amount; whereas the effect is that imports are subject to normal competition irrespective of the importing Member State, notwithstanding the application of accession compensatory amounts;

Whereas the arrangements resulting from the aforementioned Regulation should therefore be amended retroactively so that the importers concerned by the measures taken can obtain the cancellation of the effects thereof,

HAS ADOPTED THIS REGULATION:

*Article 1*

The provisions of the second subparagraph of Article 22 (1) of Regulation (EEC) No 1599/75, in force during the period 1 July to 31 December 1975, shall, at the request of those concerned, not apply to the products listed in Article 8 of that Regulation.

*Article 2*

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, 5 August 1977.

*For the Council*

*The President*

H. SIMONET

<sup>(1)</sup> OJ No C 163, 11. 7. 1977, p. 65.

<sup>(2)</sup> OJ No L 166, 28. 6. 1975, p. 67.

<sup>(3)</sup> OJ No L 50, 26. 2. 1976, p. 1.