

REGULATION (EEC) No 10/75 OF THE COMMISSION

of 31 December 1974

amending Regulation (EEC) No 2012/74 laying down detailed rules as regards
production refunds in the cereals and rice sectorsTHE COMMISSION OF THE EUROPEAN
COMMUNITIES,Having regard to the Treaty establishing the European
Economic Community ;Having regard to Council Regulation No 120/
67/EEC⁽¹⁾ of 13 June 1967 on the common organiza-
tion of the market in cereals, as last amended by Regu-
lation (EEC) No 1996/74⁽²⁾ ;Having regard to Council Regulation No 359/
67/EEC⁽³⁾ of 25 July 1967 on the common organiza-
tion of the market in rice, as last amended by Regula-
tion (EEC) No 1129/74⁽⁴⁾ ;Having regard to Council Regulation (EEC) No
1132/74⁽⁵⁾ of 29 April 1974 on production refunds in
the cereals and rice sectors, as last amended by
Council Regulation (EEC) No 3113/74⁽⁶⁾ ;Whereas Regulation (EEC) No 2012/74⁽⁷⁾ lays down
that the production refund is adjusted by reference to
the threshold price of the basic product concerned ;
whereas this adjustment is not economically justified
where the threshold price applicable on the day of
processing is less than the price applicable on the day
which the application for the product to be placed
under official supervision was accepted ;Whereas where the amounts laid down in Articles 1, 4
and 5 of Regulation (EEC) No 1132/74 are amended
in order to establish equitable conditions for competi-
tion between producers, it is necessary to provide for a
corresponding adjustment to the production refund ;Whereas, in order to guarantee the actual repayment
of the adjustment which where applicable is to be
made by the person entitled to the refund to the
competent agency, provision should be made that the
security is not released until after this repayment has
been made ;Whereas for reasons of clarity it is advisable to repu-
blish the whole of Article 2(3) of Regulation (EEC)
No 2012/74 ;Whereas the measures provided for in this Regulation
are in accordance with the Opinion of the Manage-
ment Committee for Cereals,

HAS ADOPTED THIS REGULATION :

*Article 1*The text of Article 2(3) of Regulation (EEC) No
2012/74 shall be replaced by the following :

'The production refund shall be calculated by refer-
ence to the threshold price applicable on the day
on which the application for the basic product to
be placed under official supervision was accepted
and shall be paid within 30 days following accep-
tance of such application.

The production refund shall be increased by the
difference between the threshold prices, where the
threshold price for the basic product concerned
applicable on the day of processing is more than
the threshold price applicable on the day on
which the application for the product to be placed
under official supervision was accepted. The
amount of this increase shall be paid by the
competent agency to the person entitled to the
refund within 30 days following the day of
processing. However, no adjustment shall be made
in respect of that part of the change in the
threshold price resulting from the decision to
increase prices of 7 October 1974.

Where the amounts laid down in Article 1(1) and
(2), Article 4(2) and Article 5(2) of Regulation
(EEC) No 1132/74 are adjusted between the day
on which the application for the basic product to
be placed under official supervision is accepted
and the day of processing, the production refund
shall be adjusted for 100 kg of the basic product in
proportion to this adjustment. The amount of this
adjustment shall be :

- (a) repaid by the person entitled to the production
refund to the competent agency where the
adjustment necessitates a reduction in the
production refund ; or
- (b) shall be paid by the competent agency to the
person entitled to the refund where the adjust-
ment necessitates an increase in the produc-
tion refund within 30 days following the day of
processing'.

For the new Member States, the amount to be taken
as the threshold price shall be the threshold price of

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.⁽²⁾ OJ No L 209, 31. 7. 1974, p. 1.⁽³⁾ OJ No 174, 31. 7. 1967, p. 1.⁽⁴⁾ OJ No L 128, 10. 5. 1974, p. 20.⁽⁵⁾ OJ No L 128, 10. 5. 1974, p. 2.⁽⁶⁾ OJ No L 332, 12. 12. 1974, p. 1.⁽⁷⁾ OJ No L 209, 31. 7. 1974, p. 44.

the basic product less the relevant accession compensatory amount. However, for the purposes of the adjustment referred to in the preceding paragraph, the accession compensatory amount to be deducted from the threshold price valid for the month during which processing takes place shall be that valid on the day on which the application for official supervision is accepted.

Article 2

The text of the first paragraph of Article 4 (3) of Regulation (EEC) No 2012/74 shall be replaced by the following :

‘The security shall be released when :

- (a) the person entitled to the refund has furnished proof to the competent agency that at least

96 % of the quantity of the basic product placed under supervision has been processed not later than 90 days following acceptance of the application for the product to be placed under official supervision,

- (b) where applicable, the amount referred to in the first indent of the third paragraph of Article 2 (3) has been repaid.’

Article 3

This Regulation shall enter into force the day of its publication is 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, 31 December 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission
