

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 289 final

Brussels, 4 June 1979

Proposal for a

COUNCIL REGULATION (EEC)

fixing, for the 1979/80 sugar marketing year, the differential charge to be levied on raw preferential sugar and the differential amount to be granted in respect of raw cane sugar from the French overseas departments

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(submitted to the Council by the Commission)

COM(79) 289 final

EXPLANATORY MEMORANDUM

I. Proposed Council Regulation fixing, for the 1979/80 sugar marketing year, the differential charge applicable to raw preferential sugar and the differential amount to apply to raw cane sugar produced in the French overseas departments

The basic sugar regulation provides that where the margin necessary for the refining of raw preferential sugar exceeds the raw beet sugar refining margin taken into account in the determination of the relevant Community prices then a differential charge shall be made on raw preferential sugar when it is refined in a "mixed" refinery. As this will be the case in 1979/80 this proposal is for the purpose of fixing the said charge.

The basic regulation also provides that an amount equal to the charge referred to above shall be granted for the raw sugar which is produced in the French overseas departments and refined in a pure refinery, and this is also provided for in this proposal.

Proposal for a  
COUNCIL REGULATION

fixing, for the 1979/80 sugar marketing year, the differential charge to be levied on raw preferential sugar and the differential amount to be granted in respect of raw cane sugar from the French overseas departments

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THE COUNCIL OF THE EUROPEAN COMMUNITIES -

Having regard to the Treaty establishing the European Economic Community,  
Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar (1), as last amended by Regulation (EEC) No 1396/78 (2), and in particular Articles 9 (5) and 47 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Article 46 (1) of Regulation (EEC) No 3330/74 provides that where there is a difference between, on the one hand, the raw sugar refining margin used to determine the intervention and threshold prices for raw sugar and, on the other hand, the margin necessary for the refining of raw preferential sugar, a differential charge to be made on the latter sugar shall be fixed for the sugar marketing year in question;

Whereas the bulk of the raw preferential sugar cannot be refined unless use is made of the refineries defined in Article 9 (7) of Regulation (EEC) No 3330/74; whereas the margin required for the refining of the said sugar in such refineries is greater, according to the information at present to hand, than that taken into account when determining the intervention and threshold prices for raw sugar for the 1979/80 sugar marketing year; whereas a differential charge should therefore be fixed for that year; whereas the amount thereof may be fixed at a flat rate of 2.04 Ecu of sugar expressed as white sugar, taking into account certain differences in the costs concerned;

Whereas Article 46 (2) (b) of Regulation (EEC) No 3330/74 makes provision for the non-application of whole or part of the differential charge

to any raw preferential sugar which is imported into regions of the Community and refined there in a production unit other than a refinery as defined in Article 9 (7) of that Regulation; whereas, having regard to

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(1) OJ No L 359, 31.12.1974, p.1  
(2) OJ No L 170, 27.6.1978, p.1

the traditional patterns of supplies of the said sugar to Ireland, a maximum quantity of 30 000 tonnes of that sugar, expressed in white value, refined in that region in the 1978/79 sugar marketing year was exempted from the differential charge; whereas, for the same reasons, that exemption should be continued in respect of Ireland for the 1979/80 sugar marketing year;

Whereas the second subparagraph of Article 9 (3) of Regulation (EEC) No 3330/74 provides, in particular, that where a differential charge has been fixed, a differential amount equal to that charge shall be granted in respect of the raw sugar produced in the French overseas departments, refined in a refinery defined in paragraph 7 of that Article and situated in the Community; whereas that amount should therefore be fixed at 2,04 Ecu per 100 kilograms of white sugar,

HAS ADOPTED THIS REGULATION:

#### Article 1

This Regulation shall apply to the 1979/80 sugar marketing year.

#### Article 2

The differential charge provided for in Article 46 (1) of Regulation (EEC) No 3330/74 shall be 2.04 Ecu per 100 kilograms of sugar expressed in white value by reference to a raw sugar yield calculated by doubling the degree of polarization of that sugar and deducting 100 therefrom. However, this charge shall not apply to raw preferential sugar refined during the 1979/80 sugar marketing year in Ireland subject to a maximum of 30 000 tonnes of sugar expressed in white value.

#### Article 3

The differential amount provided for in the second subparagraph of Article 9 (3) of Regulation (EEC) No 3330/74 shall be 2.04 Ecu per 100 kilograms of white sugar.

#### Article 4

This Regulation shall enter into force on 1 July 1979.

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

Done at Luxembourg,

For the Council

# FINANCIAL STATEMENT

Date : 17. 5.1979

1. BUDGET HEADING : Chap.11 (sugar receipts) and heading 6414 (measures FOD-sugar)

APPROBIATIONS :

2. TITLE : Proposal of Council Regulation fixing for the 1979/80 sugar marketing year the differential charge to be levied on raw preferential sugar and the differential amount to be granted in respect of raw cane sugar from the French overseas departments

3. LEGAL BASIS : Articles 9 and 47 of Council Regulation (EEC) No 3330/74

4. AIMS OF PROJECT : To charge a levy on raw preferential sugar refined in a sugar factory and to grant a similar amount to raw sugar from FOD in order to avoid distorsions of competition

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR ( 79 )	FOLLOWING FINANCIAL YEAR ( 80 )
5.0 EXPENDITURE - CHARGED TO THE EC BUDGET (mEua INTERVENTIONS)	5,7	2,3	3,4
5.1 RECEIPTS - OWN RESOURCES OF THE EC (LEVIES/...)	p.m.	p.m.	p.m.
5.0.1 ESTIMATED EXPENDITURE 5.1.1 ESTIMATED RECEIPTS	Measure limited to the marketing year 1979/80		

5.2 METHOD OF CALCULATION  $300.000 \text{ t} \times 20,43 \text{ Ecu/t} = 6,13 \text{ mEua} = 5,7 \text{ mEua}$   
charges: negligible quantities

6.0 CAN THE PROJECT BE FINANCED FROM APPROBIATIONS ENTITLED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET ? YES/NO

6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET ? YES/NO

6.2 IS A SUPPLEMENTARY BUDGET BE NECESSARY ? YES/NO

6.3 WILL FUTURE BUDGET APPROBIATIONS BE NECESSARY ? YES/NO

OBSERVATIONS : The present measure is not of a new nature; it was provided for by the basic Regulation (EEC) No 3330/74 and has been applied in all marketing years since the Protocol no 3 on ACP-sugar annexed to the Lomé-Convention entered into force.