

COMMISSION OF THE EUROPEAN COMMUNITIES

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COM(76) 614 final.

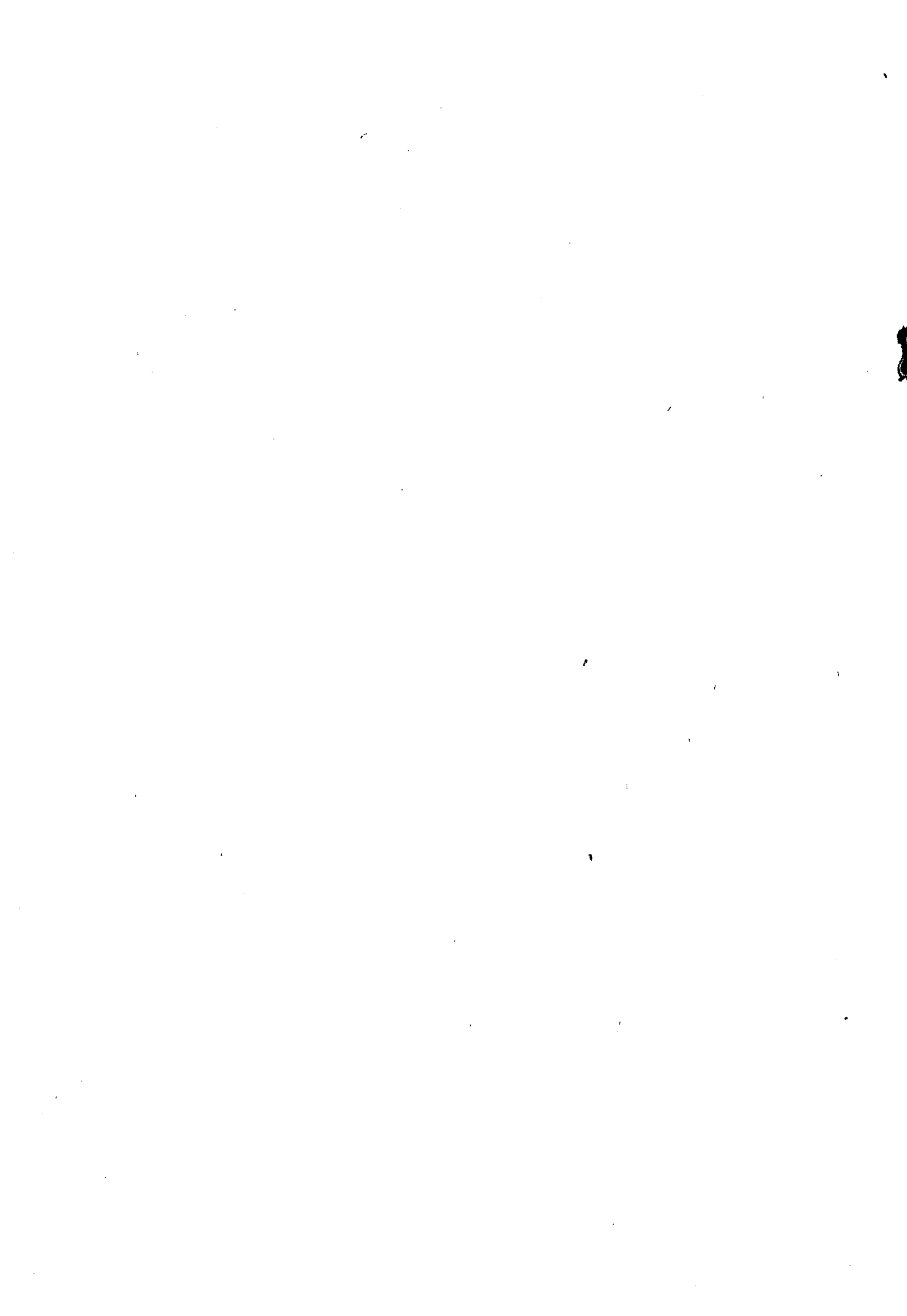
Brussels, 18 November 1976.

Proposal of the
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 1863/76 on the transfer to the Italian
intervention agency of feed grain held by the intervention agencies
of the other Member States

(submitted to the Council by the Commission)

COM(76) 614 final.



EXPLANATORY NOTE

In Regulation (EEC) No 1863/76 of 27.7.1976, the Council decided to put at the disposal of the Italian intervention agency until 31.10.1976, 100 000 metric tons of feed grains held by other intervention agencies. Part of this quantity of cereals has not yet been collected by Italy for a number of technical reasons.

Two problems are posed:

- a) who is responsible for the produce in question until it collected?
- b) has Italy the right to collect the cereals in question after 31.10.1976?

At first sight the German authorities are:

- either no longer responsible for the cereals in question if the notice of invitation to tender published by Italy is considered legally as a delivery;
- or no longer obliged to put the 40 000 metric tons of cereals at the disposal of Italy after 31.10.1976.

This being the case, in order to avoid these legal and financial problems a proposal should be submitted to the Council amending Regulation (EEC) No 1863/76 so as to fix the date for delivery at 15 December 1976; this would be done at the request of the Member States concerned.

Thus Italy will be able to take delivery of the cereals in sufficient time.

COUNCIL REGULATION (EEC) NO /76

of

amending Regulation (EEC) No 1863/76 on the transfer to the Italian intervention agency of feed grain held by the intervention agencies of the other Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ¹⁾, as last amended by Regulation (EEC) No 1143/76 ²⁾, and in particular Article 7 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1863/76 of 27 July 1976 on the transfer to the Italian intervention agency of feed grain held by the intervention agencies of the other Member States ³⁾ provides that Italy may take delivery of the feed grain until 31 October 1976; whereas that date does not permit the transfer to be completed in time; whereas the date should therefore be put back to 15 December 1976,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1863/76 the date "31 October 1976" shall read "15 December 1976".

Article 2

This Regulation shall enter into force on the 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,

For the Council

1) OJ No L 281, 1.11.1975, p. 1.
2) OJ No L 130, 19. 5.1976, p. 1.
3) OJ No L 206, 31. 7.1976, p. 5.