

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 29 August 1973

laying down safeguard measures applicable to durum wheat flour, groats and meal exported from Italy

(73/259/EEC)

THE 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 organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73⁽²⁾, and in particular Article 20 (2) thereof;

Whereas Italy requested the Commission on 29 August 1973 to introduce safeguard measures in respect of durum wheat flour, groats and meal exported from Italy;

Whereas, by its Decision of 4 August 1973⁽³⁾, the Commission introduced safeguard measures in respect of exports of durum wheat outside the Community; whereas, this step was taken to prevent exports of this product, for which the Community has a deficit, endangering supplies and, as an indirect consequence, making it impossible to supply processed products to consumers at reasonable prices;

Whereas these processed products — namely durum wheat flour, groats and meal — are used *inter alia* in the manufacture of macaroni, spaghetti and similar products for human consumption;

Whereas in Italy, the region of the Community where considerable quantities of macaroni, spaghetti and similar products are consumed, the latter are manufac-

tured exclusively from products processed from durum wheat;

Whereas, if supplies are to be assured in this Member State, the Italian food industry must use considerable quantities of products processed from durum wheat;

Whereas, although Italy does produce durum wheat, it has a deficit for this product;

Whereas this deficit cannot be made good within the Community because, apart from certain areas of France which also has a deficit for this product, durum wheat is not grown in any Member State;

Whereas for this reason Italy is largely dependent on imports from third countries for its supplies of durum wheat;

Whereas, following the sharp increase in prices for this product on the world market in recent months, availabilities of the basic product and of products processed from it have fallen in this Member State;

Whereas this increase, which is reflected in prices for macaroni, spaghetti and similar products, is becoming more and more unacceptable at consumer level;

Whereas, furthermore, the difference between prices ruling in Italy and prices ruling on the world market is still such as to encourage the export of durum wheat flour, groats and meal from Italy;

Whereas, under these circumstances, there is a danger that supplies in this region of the Community would

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 219, 7. 8. 1973, p. 25.

be seriously disturbed by such exports even if the tonnages involved were small ;

Whereas it follows from all the factors indicated above that exports of durum wheat flour, groats and meal could threaten the Italian market with serious disturbances which might jeopardise the objectives of Article 39 (1) of the Treaty and in particular those set out in subparagraphs (c), (d) and (e) of that paragraph ;

Whereas the normal methods of market regulation, such as the abolition of refunds and the reduction of period of validity of export licences, have been exhausted ;

Whereas it is therefore necessary to adopt, with immediate effect, special measures to deal with the situation ;

Whereas these measures should be adopted within the framework of Council Regulation (EEC) No 2591/69 ⁽¹⁾ of 18 December 1969 defining the conditions for applying safeguard measures in the cereals sector ;

Whereas market conditions at the present time are such that only a complete ban on the issue of export licences can improve the situation ;

Whereas the situation is particularly hazardous in Italy, given the demand for durum wheat flour, groats and meal in that region of the Community ;

Whereas the measures should therefore be limited to exports from that region ;

Whereas the Community's food aid commitments mean that exports effected for that purpose must be excluded from the safeguard arrangements ;

HAS ADOPTED THIS DECISION :

Article 1

1. No further licences shall be issued for the export from Italy of durum wheat flour, groats and meal falling within subheadings ex 11.02 A I a) and ex 11.01 A respectively of the Common Customs Tariff. This provision shall apply to licences applied for within the meaning of Article 6 of Regulation (EEC) No 1373/70 ⁽²⁾, as last amended by Regulation (EEC) No 1796/73 ⁽³⁾, after 29 August 1973.

2. For the purpose of applying paragraph 1, section 12 of export licences issued for the products in question after 29 August 1973 shall contain the following endorsement :

'not valid in Italy',

Article 2

The provisions of Article 1 shall not apply to products mobilized for food aid purposes in application of Article 22a of Regulation No 120/67/EEC.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 August 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 1.

⁽²⁾ OJ No L 158, 20. 7. 1970, p. 1.

⁽³⁾ OJ No L 183, 5. 7. 1973, p. 1.