19.9.69 Official Journal of the European Communities No L 236/5

REGULATION (EEC) No 1840/69 OF THE COUNCIL

of 16 September 1969

amending Regulation (EEC) No 204/69 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds

THE COUNCIL 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 organisation of the market in cereals, as last amended by Regulations (EEC) Nos 1396/69 and 1398/69,[2] and in particular Article 16 (5) thereof;

Having regard to Council Regulation No 1009/67/EEC[3] of 18 December 1967 on the common organisation of the market in sugar, as last amended by Regulations (EEC) Nos 1393/69 and 1398/69[4] and in particular the fifth subparagraph of Article 17 (2) thereof;

Having regard to the proposal from the Commission;

Whereas Article 4 of Regulation (EEC) No 1393/69 added a certain number of goods requiring a considerable quantity of sugar or molasses for their manufacture to the Annex to Regulation No 1009/67/EEC;

Whereas it follows from the provisions of Article 3 (4) of Council Regulation (EEC) No 204/69[5] of 28 January 1969 laying down general rules for granting export refunds on agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 1200/69/[6] that except as otherwise provided by the Council, the goods in question are to be considered as listed in Annex B to that Regulation;

Whereas among the goods added to the Annex to Regulation No 1009/67/EEC are the penicillins falling within subheading No 29.44 A of the Common Customs Tariff;

Whereas pursuant to Article 9 of Council Regulation (EEC) No 765/68[7] of 18 June 1968 laying down general rules for the production refund on sugar used in the chemical industry, Member States must grant a production refund on a maximum of 15·3 kg of white sugar per kilogramme of penicillin manufactured from the basic products referred to in Article 1 of that Regulation; whereas this maximum conversion ratio, fixed in view of the special conditions affecting the production of penicillin, must also be used for calculating the amount of the refund on sugar exported in the form of that product; whereas to that end, penicillins requiring for their manufacture a quantity exceeding 15·3 kg of white sugar per kilogramme should be listed in Annex C to Regulation (EEC) No 204/69;

Whereas on the other hand the amount of the refund on sugar exported in the form of penicillins requiring for their manufacture a quantity not exceeding 15·3 kg of white sugar per kilogramme must be calculated on the basis of the actual quantities of sugar used; whereas, for reasons of clarity, it is necessary to make a separate list of the penicillins in question and also the other goods referred to in Article 4 of Regulation (EEC) No 1393/69 and in Annex B to Regulation (EEC) No 204/69;

Whereas the opportunity provided by this amendment of Regulation (EEC) No 204/69 should be taken to clarify the provisions of the second subparagraph of Article 5 (2) of that Regulation, as supplemented by Article 1 of Regulation (EEC) No 551/69[8] on

[1] OJ No 117, 19.6.1967, p. 2269/67.
[2] OJ No L 179, 21.7.1969, p. 5. and 13.
[3] OJ No 308, 18.12.1967, p. 1.
[4] OJ No L 179, 21.7.1969, p. 1. and 13.
[5] OJ No L 29, 5.2.1969, p. 1.
[6] OJ No L 155, 28.6.1969, p. 1.
[7] OJ No L 143, 25.6.1968, p. 1.
[8] OJ No L 74, 27.3.1969, p. 3.

the applicability of a corrective amount in respect of barley exported in the form of beer;

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be substituted for the last sentence of the second subparagraph of Article 5 (2) of Regulation (EEC) No 204/69:

'However, with regard to barley exported in the form of beer, a corrective amount may be fixed by the Commission under the conditions laid down in Article 16 (4) of Regulation No 120/67/EEC.'

Article 2

1. The products listed in Annex I to this Regulation shall be added to Annex B to Regulation (EEC) No 204/69.

2. The products and coefficient listed in Annex II to this Regulation shall be added to Annex C to Regulation (EEC) No 204/69.

Article 3

By way of derogation from Article 8 (3) of Regulation (EEC) No 204/69, the provisions of Article 8 (1) of that Regulation shall be applicable to penicillins falling within subheading No 29.44 A of the Common Customs Tariff and requiring for their manufacture a quantity of white sugar in excess of 15·3 kg per kilogramme.

Article 4

This Regulation shall enter into force on 1 October 1969.

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

Done at Brussels, 16 September 1969.

For the Council

The President

P. LARDINOIS

ANNEX I

CCT heading No	Description of goods
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts
29.15	Polycarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:
	A. Acyclic polycarboxylic acids:
	ex V. Other:
	— Itaconic acid, its salts and esters
29.16	Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:
	A. Carboxylic acids with alcohol function:
	I. Lactic acid and its salts and esters
	IV. Citric acid and its salts and esters
29.44	Antibiotics:
	ex A. Penicillins requiring for their manufacture, per kilogramme, a quantity of white sugar not exceeding 15.3 kilogrammes

ANNEX II

CCT heading No	Description of goods	Common wheat	Durum wheat	Maize	Husked rice	Barley	White sugar	Molasses	Skimmed milk powder PG 2	Lactose PG 12	Eggs in shell
		kg	kg	kg	kg	kg	kg	kg	kg	kg	kg
29.44	Antibiotics:										
	ex A. Pencillins requiring for their manufacture per kilogramme, a quantity of white sugar exceeding 15·3 kilogrammes						1530				