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REGULATION (EEC) No 2488/69 OF THE COUNCIL

of 9 December 1969

amending Article 5 of Regulation (EEC) No 766/68 laying down general rules for granting export refunds on sugar

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 1009/67/EEC[1] of 18 December 1967 on the common organisation of the market in sugar, as last amended by Regulations (EEC) Nos 2463/69[2] and 2485/69,[3] and in particular Article 17 (2) and (3) thereof;

Having regard to the proposal from the Commission;

Whereas according to the definition laid down in Article 1 (2) of Regulation No 1009/67/EEC candy sugar falling within heading No 17.01 of the Common Customs Tariff must be regarded as raw sugar; whereas since candy sugar is manufactured from white sugar this classification gives rise to difficulties when candy sugar is exported;

Whereas, to prevent such difficulties arising, provision should be made for exceptions to certain provisions of Council Regulation (EEC) No 766/68[4] of 18 June 1968 laying down general rules for granting export refunds on sugar, as amended by Regulation (EEC) No 729/69[5];

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph shall be added to Article 5 (2) of Regulation (EEC) No 766/68:

'However, the upper limit referred to in the first sentence of the preceding subparagraph shall not apply to the refunds to be fixed for candy sugar.'

Article 2

This Regulation shall enter into force on the third 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, 9 December 1969.

For the Council

The President

P. LARDINOIS

[1] OJ No 308, 18.12.1967, p. 1.
[2] OJ No L 312, 12.12.1969, p. 3.
[3] OJ No L 314, 15.12.1969, p. 6.
[4] OJ No L 143, 25.6.1968, p. 6.
[5] OJ No L 96, 23.4.1969, p. 1.