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REGULATION (EEC) No 2273/70 OF THE COUNCIL

of 10 November 1970

amending Regulation No 371/67/EEC fixing production refunds on starches and quellmehl

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 Regulation (EEC) No 1253/70,[2] and in particular Article 11 (3) thereof;

Having regard to Council Regulation No 359/67/EEC[3] of 25 July 1967 on the common organisation of the market in rice, as last amended by Regulation (EEC) No 1253/70, and in particular Article 9 (2) thereof;

Having regard to the proposal from the Commission;

Whereas Article 1 of Council Regulation No 371/67/EEC[4] of 25 July 1967 fixing production refunds on starches and quellmehl, as amended by Regulation No 852/67/EEC,[5] lays down by what amounts these refunds must reduce the prices at which the industries concerned may obtain basic products; whereas Article 2 (2) of that Regulation provides that if world market prices for basic products appreciably and persistently exceed the amounts fixed in Article 1, an export levy may be introduced to offset the difference between prices within the Community and on the world market;

Whereas starches falling within tariff sub-heading Nos 11.08 A I, III, IV and V are largely interchangeable and competitive products; whereas it is therefore necessary to provide for the possibility of fixing an export levy for all the products referred to; whereas moreover the prices of the basic cereals listed in Article 1 (1) of Regulation No 371/67/EEC form the basis for calculating the levies and export refunds for these products;

Whereas, furthermore, gluten and glucose falling within tariff heading and sub-heading Nos 11.09, 17.02 B II and 17.05 B processed from starches qualify for production refunds; whereas, therefore, these products should also be covered by the export levy system;

Whereas the disturbances on third country markets, which the charging of an export levy to offset the difference between prices within the Community and on the world market would serve to avoid, would also arise in the case of an appreciable rise in world market prices for basic products;

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be substituted for Article 2 (2) of Regulation No 371/67/EEC:

'2. If world market prices for maize or common wheat appreciably exceed the sum of 6·80 units of account and this tendency persists, an export levy to offset the difference between world market prices and the supply price within the Community of the basic products may be introduced for products falling within tariff heading and sub-heading Nos 11.08 A I, III, IV and V, 11.09, 17.02 B II and 17.05 B. The Commission shall fix the export levy.'

[1] OJ No 117, 19.6.1967, p. 2269/67.
[2] OJ No L 143, 1.7.1970, p. 1.
[3] OJ No 174, 31.7.1967, p. 1.
[4] OJ No 174, 31.7.1967, p. 40.
[5] OJ No 278, 17.11.1967, p. 1.

Article 2

To Article 5 of Regulation No 371/67/EEC shall be added the following subparagraph (c):

'(c) concerning the export levy referred to in Article 2 (2).'

Article 3

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, 10 November 1970.

For the Council

The President

H. D. GRIESAU