7.7.71 Official Journal of the European Communities No L 151/1

REGULATION (EEC) No 1425/71 OF THE COUNCIL

of 2 July 1971

supplementing Regulation (EEC) No 865/68 on the common organisation of the market in products processed from fruit and vegetables by certain provisions on the granting of export refunds

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament[1];

Whereas, if products processed from fruit and vegetables are to have access to third country markets, provision should be made for the granting of export refunds;

Whereas Article 3 of Council Regulation (EEC) No 865/68[2] of 28 June 1968 on the common organisation of the market in products processed from fruit and vegetables, as last amended by Regulation (EEC) No 2613/70[3] provides that products containing added sugar are eligible for refunds in respect of the various added sugars; whereas for those products the refund mentioned above must therefore be granted only in cases where the refund referred to in that Article 3 would not be sufficient to permit their exportation;

Whereas the introduction of a system of export refunds such as that provided for in this Regulation means that the Community must assume financial responsibility for products processed from fruit and vegetables;

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 865/68 shall be supplemented by the following Articles:

'*Article 3a*

1. Where required, in order to permit economically important exports of the products not containing added sugar listed in Article 1 on the basis of prices for those products in international trade, the difference between these prices and prices within the Community may be covered by an export refund.

2. The refund shall be the same throughout the Community. It may be varied according to destination.

The refund shall be granted on application by the party concerned.

3. The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall lay down general rules for granting refunds and criteria for fixing the amount of such refunds.

4. The refunds shall be fixed at regular intervals in accordance with the procedure laid down in Article 15. Where necessary the Commission may, at the request of a Member State or on its own initiative, alter the refund in the intervening period.

5. Where the refund fixed pursuant to Article 3 is not sufficient to permit exports of the products containing added sugar listed in Article 1, the provisions of this Article shall apply to these products instead of those of Article 3.

[1] OJ No C 2, 8.1.1970, p. 40.
[2] OJ No L 153, 1.7.1968, p. 8.
[3] OJ No L 281, 27.12.1970, p. 12.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 15.

Article 18a

1. The provisions of the Regulations on the financing of the common agricultural policy shall apply to the market in the products listed in Article 1.

2. Article 11 of Regulation No 159/66/EEC is hereby repealed.'

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities.*

It shall apply from 15 July 1971.

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

Done at Brussels, 2 July 1971.

For the Council

The President

M. FERRARI-AGGRADI