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REGULATION (EEC) No 1605/71 OF THE COMMISSION

of 26 July 1971

amending, as regards cereals, Regulation (EEC) No 2637/70 on special detailed rules for the application of the system of import and export licences and advance fixing certificates

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 organisation of the market in cereals, as last amended by Regulation (EEC) No 1528/71,[2] and in particular Article 12 (2) thereof;

Whereas Commission Regulation (EEC) No 1604/71[3] on detailed rules for the application of an export levy on starches established, in accordance with Article 2 (2) of Council Regulation No 371/67/EEC[4] of 25 July 1967 fixing production refunds on starches and quellmehl, a system for the advance fixing of the rate of the export levy on certain cereal products; whereas, in order to apply that system, certain special endorsements should be made on the export licences used for that purpose;

Whereas the export levy represents a special export arrangement; whereas, as regards the deposit, the licences applied for under that arrangement should therefore be made subject to the same rules as apply to export licences, account being taken, however, of the special nature of the export levy;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Cereals;

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EEC) No 2637/70[5] of 23 December 1970 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, as last amended by Regulation (EEC) No 1391/71,[6] shall be amended in accordance with the following Articles.

Article 2

The following Article shall be added:

'*Article 19a*

1. For the application of Article 4 (2) of Regulation (EEC) No 1604/71, the export licence shall be completed as follows:

— section 12 shall contain one of the following endorsements:

"préfixation prélèvement demandée",

"Vorausfestsetzung der Abschöpfung beantragt",

"fissazione in anticipo del prelievo richiesta",

"vooraf vaststellen van de heffing aangevraagd";

(advance fixing of levy applied for)

— in column 17 the expression ("restitution valable le ... préfixée") (refund operative on ... fixed in advance) shall be deleted and replaced by one of the expressions provided for in section 17 of the import licence;

[1] OJ No 117, 19.6.1967, p. 2269/67.
[2] OJ No L 162, 20.7.1971, p. 1.
[3] OJ No L 168, 27.7.1971, p. 11.
[4] OJ No 174, 31.7.1967, p. 40.
[5] OJ No L 283, 29.12.1970, p. 15.
[6] OJ No L 145, 1.7.1971, p. 44.

— section 18 shall contain, in figures and in words, the total amount in national currency of the levy fixed in advance. The provisions of Article 12a of Regulation (EEC) No 1373/70 shall apply to special cases, the endorsements in sections 19 and 20 of the import licence provided for in this Article being included in section 18 of the export licence.

2. For the application of Article 4 (3) of Regulation (EEC) No 1604/71 Section 18 of the export licence shall contain one of the following endorsements:

"Prélèvement à l'exportation non applicable",

"Ausfuhrabschöpfung nicht anwendbar",

"Prelievo all'esportazione non applicabile",

"Uitvoerheffing niet van toepassing".

(Export levy not applicable).'

Article 3

Article 25 shall be amended as follows:

1. In paragraph 1 of the French text, the letters (a) and (b) shall be substituted for the first and second indents respectively.

2. In paragraph (1) (a): 'the import levy, the export levy or as appropriate, the export refund' shall be substituted for 'the levy or refund'.

3. The following shall be substituted for paragraph 1 (b):

'(b) 3 units of account per metric ton for import licences for which the levy is fixed in advance and 5 units of account per metric ton for export licences for which the export refund or, as appropriate, the export levy is fixed in advance.'

4. The following subparagraph shall be added to paragraph 3:

'(d) for export licences with advance fixing of the export levy:

0·50 units of account per metric ton, which may be supplemented by an amount corresponding to the difference between:

— the levy fixed in advance applicable on the last day of validity of the export licence, and

— the levy applicable on the last day of validity of the export licence if the latter amount is less than the former.'

Article 4

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, 26 July 1971.

For the Commission

The President

Franco M. MALFATTI