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REGULATION (EEC) No 2195/71 OF THE COMMISSION

of 13 October 1971

amending Regulation (EEC) No 2637/70 as regards the period of validity of export licences and, in particular export licences for butter

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community:

Having regard to Council Regulation (EEC) No 804/68[1] of 27 June 1968 on the common organisation of the market in milk and milk products, as last amended by Regulation (EEC) No 1410/71,[2] and in particular Article 17 (4) thereof;

Whereas the market has developed in such a way that the period of validity of export licences for milk powder in small packages for retail sale should be reduced and that Article 35 (2) of Commission Regulation (EEC) No 2637/70[3] of 13 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 2128/71,[4] should be amended;

Whereas in view of the trend of prices for butter on the world market, it is no longer necessary to apply to butter the special period of validity of export licences provided for in Article 35 (3) of that Regulation; whereas, however, an exception must be provided for as regards butter and milk powder supplied to the armed forces under tendering procedures in accordance with Article 36 (1) of Regulation (EEC) No 2637/70;

Whereas, for the sake of clarity and in view of all the amendments which have been made, Article 35 of that Regulation as it now stands should be published in full;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be substituted for Article 35 of Regulation (EEC) No 2637/70:

'*Article 35*

1. An import licence shall be valid from its date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70 until the end of the second month following that of issue.

2. An export licence issued in accordance with Regulation (EEC) No 2683/70, with advance fixing of the refund, shall be valid for the products listed below, falling within the tariff subheadings for each product, from its date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70, until the end of:

(a) the thirtieth day following that of issue:

ex 04.01 B	In immediate packings of a net capacity exceeding 500 g
ex 04.02 A II (a)	In immediate packings other than for retail sale of a net capacity not exceeding 2·5 kg
04.02 A II (b)	
ex 04.02 A III (b)	In immediate packings of a net capacity exceeding 500 g and of a fat content exceeding 11% by weight
ex 04.02 B I (b)	In packings other than for retail sale of a net capacity not exceeding 2·5 kg

[1] OJ No L 148, 28.6.1968, p. 13.
[2] OJ No L 148, 3.7.1971, p. 3.
[3] OJ No L 283, 29.12.1970, p. 15.
[4] OJ No L 224, 5.10.1971, p. 16.

04.02 B I (b) 2

ex 04.02 B II (b) In immediate packings of a net capacity exceeding 500 g and of a fat content exceeding 9·5% by weight

04.03

23.07 B I (a) 4

(b) the sixtieth day following that of issue:

ex 04.02 A II (a) In packaging for retail sale of a net capacity not exceeding 2·5 kg

ex 04.02 B I (b) 1 In packaging for retail sale of a net capacity not exceeding 2·5 kg

ex 04.04 E I (b) 1 Cheddar, including Chester, for export to Zone E

(c) the third month following that of issue for the other products listed in Article 1 of Regulation (EEC) No 804/68.

However in special cases provision may be made for a special period of validity.

3. In the case of an export in connection with an invitation to tender opened in an importing third country or by the armed forces mentioned in Article 36 (1), the export licence shall be valid from its date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70 until the date by which the obligations arising under the award of the contract are to be fulfilled.

The period of validity of that licence may not, however, exceed:

(a) eighteen months following the month in which the licence was issued within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70, for an export under an invitation to tender held by the armed forces in accordance with Article 36 (1);

(b) in other cases:

— that provided for in paragraph 2 for exportation of products falling within tariff sub-headings Nos 04.02 A II, 04.02 B I (b) or 04.03;

— twelve months following the month in which the licence was issued within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70, as regards the other products listed in Article 1 of Regulation (EEC) No 804/68.

4. An export licence issued for Cheddar and Chester cheese falling within tariff sub-heading No 04.04 E I (b) 1 which does not specify Zone E as destination, entails the obligation to export to a destination other than Zone E.'

Article 2

This Regulation shall enter into force on 14 October 1971.

The period of validity of the licences issued before the entry into force of this Regulation shall not, however, be affected by this Regulation.

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

Done at Brussels, 13 October 1971.

For the Commission

The President

Franco M. MALFATTI