REGULATION (EEC) No 178/73 OF THE COUNCIL

of 23 January 1973

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 organization of the market in cereals, as last amended by the Act concerning the Conditions of Accession and the Adjustments to the Treaties [2], and in particular Article 11 (3) thereof;

Having regard to the proposal from the Commission;

Whereas Article 2 (2) of Council Regulation No 371/67/EEC [3] of 25 July 1967 fixing production refunds on starches and quellmehl, as last amended by Regulation (EEC) No 2273/70 [4], provides for the fact that, if world market prices for maize and common wheat appreciably exceed the amounts fixed in Article 1 and if this tendency persists, an export levy may be introduced to offset the effect of the difference between prices within the Community and on the world market for goods falling within certain tariff headings in the Common Customs Tariff;

Whereas, in accordance with the provisions contained in Article 3 (1) under (b) and (c) of Regulation (EEC) No 2727/71 [5], the description of goods falling within tariff heading 11.09 in Annex A to Regulation No 120/67/EEC has been amended and a new subheading 23.03 A I inserted, thereby amending the Common Customs Tariff at the same time; whereas as a result of this amendment residues from the manufacture of starch from maize, previously classified under 11.09, are classified under the subheading 23.03 A I; whereas it is necessary therefore to supplement Article 2 (2) of Regulation No 371/67/EEC in order that these residues be not excluded from the export levy system;

HAS ADOPTED THIS REGULATION:

Article 1

The text of Article 2 (2) of Regulation No 371/67/EEC shall be replaced by the following:

'2. If world market prices for maize or common wheat appreciably exceed 6·80 units of account and if this tendency persists, an export levy, aimed at offsetting the effect of the difference between world market prices and supply prices within the Community for these basic products may be introduced in respect of products falling within tariff headings 11.08 A I, III, IV and V, 11.09, 17.02 B II, 17.05 B and 23.03 A I of the Common Customs Tariff. The Commission shall fix the amount of the export levy.'

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, 23 January 1973.

For the Council

The President

L. TINDEMANS

(1) OJ No 117, 19. 6. 1967, p. 2269/67.
(2) OJ Special Edition, 27. 3. 1972, p. 14.
(3) OJ No 174, 31. 7. 1967, p. 40.
(4) OJ No L 246, 12. 11. 1970, p. 1.
(5) OJ No L 282, 23. 12. 1971, p. 8.