REGULATION (EEC) No 1909/73 OF THE COMMISSION
of 16 July 1973
fixing the export refunds on fishery products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation (EEC) No 2142/70 (1) of 20 October 1970 on the common organization of the market in fishery products, as last amended by Regulation (EEC) No 220/73 (2), and in particular the first sentence of Article 21 (4) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas Article 21 of Regulation (EEC) 2142/70 provides that, to the extent necessary to enable economically important exports of the products listed in Article 1 (2) of that Regulation to be effected on the basis of prices for these products on the world market, the difference between these prices and prices within the Community may be covered by an export refund ;

Whereas Article 2 of Council Regulation (EEC) No 165/71 (3) of 26 January 1971 laying down general rules for granting export refunds on fishery products and criteria for fixing the amount of such refunds provides that when refunds are being fixed account must be taken on the one hand of the existing situation and the future trend with regard to prices and availabilities of fishery products on the Community market and prices for fishery products on the world market on the other ; whereas account must also be taken of the costs referred to in (c) of that Article, of the economic significance of the proposed exports and of the aims of the common organization of the market in fishery products ;

Whereas Article 3 of Regulation (EEC) No 165/71 provides that, when prices on the Community market are being determined, account must be taken of the ruling prices which are most favourable from the exportation point of view ; whereas, when prices on the world market are being determined, account must be taken of the prices indicated in paragraph 2 of that Article ;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to the destination of the products in question ;

Whereas products of Community origin which are landed, direct from the fishing grounds, in ports situated outside the customs territory of the Community do not qualify for refunds ;

Whereas economically important quantities of dried and salted cod and coalfish can be exported at the present time ;

Whereas it follows from applying the above-mentioned rules and criteria to the present situation on the market and in particular to prices for fishery products in the Community and on the world market that the refund should be fixed as shown in the Annex ;

Whereas, if the levy system is to operate normally, refunds should be calculated on the following basis :

— in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2·25 %, at rate of exchange based on their effective parity ;

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds referred to in Article 1 (2) of Regulation (EEC) No 2142/70 are hereby fixed at the amounts shown in the Annex.

Article 2

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

(1) OJ No L 236, 27. 10. 1970, p. 5.
(2) OJ No L 27, 1. 2. 1973, p. 1.
(3) OJ No L 23, 29. 1. 1971, p. 1.

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

Done at Brussels, 16 July 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

(u.a. / 100 kg net)

CCT heading No	Description of goods	Refund
03.02	Fish, dried, salted or in brine, smoked fish, whether or not cooked before or during the smoking process :	
	ex A I b) Cod, dried and salted, whole, headless or in pieces :	
	for exports to :	
	— Brazil	10·00
	— Jamaica, Trinidad, Barbados, Windward and Leeward Islands	8·00
	ex A I f) Coalfish, dried and salted, whole, headless or in pieces :	
	for exports to :	
	— Congo-Brazzaville, Zaire, Jamaica, Trinidad, Barbados, Windward and Leeward Islands, Panama	15·00