REGULATION (EEC) No 2097/73 OF THE COMMISSION

of 31 July 1973

amending Annex II to Regulation (EEC) No 842/73 laying down special provisions for refunds and Community aid fixed in advance prior to 13 February 1973

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 organization of the market in milk and milk products, as last amended by the Act (2) on the Conditions of Accession and the Adjustments to the Treaties, and in particular Article 17 (4) thereof;

Whereas Annex II to Commission Regulation (EEC) No 842/73 (3) of 27 March 1973 laying down special provisions for refunds and Community aid fixed in advance prior to 13 February 1973 sets out adjusting amounts for refunds fixed in advance prior to 13 February 1973 in respect of milk products not already exported before that date;

Whereas an entry in respect of preserved cream of a fat content by weight exceeding 21 % and not exceeding 39 %, falling within subheading 04.02 A III of the Common Customs Tariff, was omitted by error from the list contained in Annex II to the above-mentioned Regulation; whereas as appropriate addition must therefore be made to that Regulation;

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

In Annex II to Regulation (EEC) No 842/73, in the entry relating to subheading ex 04.02 A III, the following is inserted between the third and fourth indent:

'— exceeding 21 % but not exceeding 39 % 2·15.'

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 2 April 1973.

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

Done at Brussels, 31 July 1973.

For the Commission

The President

François-Xavier ORTOLI

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 73, 27. 3. 1972, p. 14.
(3) OJ No L 82, 30. 3. 1973, p. 23.