REGULATION (EEC) No 2752/73 OF THE COMMISSION

of 10 October 1973

amending Regulation (EEC) No 2637/70 in respect of the period of validity of advance fixing certificates for certain agricultural products, exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Regulation (EEC) No 804/68 [1] of 27 June 1968 on the common organization of the market of milk and milk products, as last amended by the Act [2] annexed to the Treaty [3] concerning the Accession of new Member States to the European Economic Community and to the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 17 (4), second subparagraph,

Having regard to Council Regulation (EEC) No 2682/72 [4] of 12 December 1972 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds;

Whereas according to Article 55 of Regulation (EEC) No 2637/70 [5] of the Commission 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 amended by Regulation (EEC) No 1570/73 [6] of 12 June 1973, the advance fixing certificates for agricultural products, exported in the form of goods not covered by Annex II to the Treaty, with the exception of beer, casein and caseinates, shall be valid until the end of the 5th month following the month in which the certificate was issued;

Whereas in the interest of the trade this period of validity must be extended to 11 months with regard to milk beverages of heading 22.02 B of the Common Customs Tariff;

Whereas on the other hand the actual situation of the market with regard to skimmed-milk powder (P.G. 2), exported in the form of certain goods of headings 18.06 D and 21.07 F of the Common Customs Tariff, necessitates a reduction of the period of validity of such certificates;

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 the text of Article 55 of Regulation (EEC) No 2637/70:

'1. The certificate 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 5th month following that of issue.

2. However, with regard to:

(a) — barley exported in the form of beer (heading No 22.03 of the Common Customs Tariff),

— milk powder, obtained by the spray process, of a fat content of less than 1,5 % by weight and of a water content of less than 5 % by weight (P.G. 2), used for calculating the export refund on casein (subheading No 35.01 A of the Common Customs Tariff), and caseinates (subheading No ex 35.01 C of the Common Customs Tariff),

— lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07, containing milk or milk fats (subheading No 22.02 B of the Common Customs Tariff),

the certificate 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 11th month following that of issue.

(b) poultry eggs in shell, fresh or preserved, other than for hatching, used in calculating the export refund on ovalbumin (subheading No ex 35.02 A II a) of the Common Customs Tariff), the certificate shall be valid from its date of issue within the meaning of Article 8 (1) of Regulation (EEC) No 1373/70

[1] OJ No L 148, 28. 6. 1968, p. 13.
[2] OJ No L 73, 27. 3. 1972, p. 14.
[3] OJ No L 73, 27. 3. 1972, p. 5.
[4] OJ No L 289, 27. 12. 1972, p. 13.
[5] OJ No L 283, 29. 12. 1970, p. 15.
[6] OJ No L 157, 14. 6. 1973, p. 17.

until the end of the 6th month following that of issue.

(c) milk powder, obtained by the spray process, of a fat content of less than 1·5 % by weight and of a water content of less than 5 % by weight (P.G. 2), used for calculating the export refund on the following goods falling within subheadings Nos 18.06 D and 21.07 F of the Common Customs Tariff :

CCT heading No	Description
18.06	Chocolate and other food preparations containing cocoa
	ex D. Other, in powder or granules (with the exception of preparations for the manufacture of ice-cream flavoured and/or coloured and chocolate milk crumbs, with a lactose content by weight equal to or exceeding 20 % and with a milk fat content by weight less than 11 %, close wrapped in individual packages, the net weight of the contents being in excess of 2·5 kg
21.07	Food preparations not elsewhere specified or included :
	ex F. Other, in powder or granules (with the exception of preparations for the manufacture of ice-cream, flavoured and/or coloured and improvers for baking) having a lactose content equal to or exceeding 20 % by weight and a milkfat content of less than 11 % by weight close wrapped in individual packages, the net weight of the contents being in excess of 2·5 kg

the certificates 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 30th day following that of issue.

Article 2

This Regulation shall enter into force on the day following the day of 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, 10 October 1973.

For the Commission

The President

François-Xavier ORTOLI