REGULATION (EEC) No 3409/73 OF THE COMMISSION

of 17 December 1973

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 122/67/EEC (1) of 13 June 1967, on the common organization of the market in eggs, as last amended by the Act concerning the conditions of accession and the adjustments to the treaties hereinafter referred to as the 'Act' (2), and in particular Article 9 (3) thereof ;

Having regard to Council Regulation (EEC) No 804/68 (3) of 27 June 1968, on the common organization of the market in milk and milk products, as last amended by the Act, and in particular Article 17 (4), second subparagraph thereof ;

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

Whereas, under Article 55 of Commission Regulation (EEC) No 2637/70 (5) of 23 December 1970, on special detailed rules for the application of advance fixing certificates for agricultural products, as last amended by Regulation (EEC) No 2752/73 (6) and Regulation (EEC) No 2926/73 (7), for eggs in shell used in calculating the export refund on ovalbumin the advance fixing certificate is valid from its date of issue until the end of the sixth month following that of issue ;

Whereas the period of validity of the certificate of advance fixing in the eggs and poultry sectors has been reduced by Regulation (EEC) No 2926/73 from six months to three months, it is consequently necessary to provide for a period of validity of three months also the eggs mentioned above ;

Whereas in the interests of clarity, the wording of Article 55 (2) (a) third indent of Regulation (EEC) No 2637/70 will have to be amended ;

Whereas the Management Committee for Poultrymeat and Eggs has not delivered an Opinion within the time limit set by its Chairman ;

Whereas the wording of this Regulation is in accordance with the Opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION :

Article 1

In Article 55 (2) (a) of Regulation (EEC) No 2637/70, the third indent shall be worded as follows : 'Milk exported in the form of 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 of the Common Customs Tariff), containing milk or milk fats (subheading No 22.02 B of the Common Customs Tariff).'

In Article 55 (2) (b) of Regulation (EEC) No 2637/70 the word 'sixth' shall be replaced by the word 'third'.

Article 2

This Regulation shall enter into force on 1 January 1974.

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

Done at Brussels, 17 December 1973.

For the Commission

The President

François-Xavier ORTOLI

(1) OJ No 117, 19. 6. 1967, p. 2293/67.
(2) OJ No L 73, 27. 3. 1972, p. 14.
(3) OJ No L 148, 28. 6. 1968, p. 13.
(4) OJ No L 289, 27. 12. 1972, p. 13.
(5) OJ No L 283, 29. 12. 1970, p. 15.
(6) OJ No L 299, 27. 10. 1973, p. 39.
(7) OJ No L 284, 11. 10. 1973, p. 11.