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(Acts whose publication is obligatory)

REGULATION (EEC) No 356/73 OF THE COMMISSION

of 31 January 1973

Amending Regulation (EEC) No 757/71 on special rules of application for granting aid for exports of skimmed-milk powder for use as feed and skimmed milk processed into compound feedingstuffs

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 in milk and milk products, as last amended by the Act (2) annexed to the Treaty (3) on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 10 (3) thereof;

Whereas Article 2 of Commission Regulation (EEC) No 757/71 of 7 April 1971 (4) on special rules of application for granting aid for exports of skimmed-milk powder for use as feed and skimmed milk processed into compound feedingstuffs, as last amended by Regulation (EEC) No 2481/72 (5) laid down the amounts to be levied on exports of skimmed milk or skimmed-milk powder in the form of denatured skimmed-milk powder or compound feedingstuffs; whereas those amounts correspond to the aid granted in accordance with Council Regulation (EEC) No 986/68 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed (6), as last amended by Regulation (EEC) No 673/71 (7);

Whereas certain products are subject to export charges notwithstanding that their composition does not satisfy the requirements for the granting of aid; whereas those products should therefore be exempted from any export charge;

Whereas the provisions 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

Article 1 of Regulation (EEC) No 757/71 is replaced by the following:

'1. The amounts to be levied in accordance with the provisions of Article 2 (1) (ii) of Regulation (EEC) No 986/68 are as shown in the Annex to this Regulation.

2. However, the amounts referred to in paragraph 1 shall not be levied in respect of any skimmed milk or skimmed-milk powder exported in the form of products appearing in the Annex which is not eligible for aid granted in accordance with Article 10 (1) of Regulation (EEC) No 804/68.'

(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 83, 8. 4. 1971, p. 53.
(5) OJ No L 268, 29. 11. 1972, p. 12.
(6) OJ No L 169, 18. 7. 1968, p. 4.
(7) OJ No L 77, 1. 4. 1971, p. 9.

Article 2

Amounts referred to in Article 1 (1) of Regulation (EEC) No 757/71 which, in virtue of paragraph 2 of the said Article were improperly levied on exports of the products concerned shall, on application and proof by the persons concerned, be refunded.

Article 3

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

This Regulation shall apply from 1 February 1973.

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

Done at Brussels, 31 January 1973.

For the Commission

The President

François-Xavier ORTOLI