# REGULATION (EEC) No 432/74 OF THE COMMISSION

**of 21 February 1974**

**fixing the refunds applicable to cereals and wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC [1] of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73 [2], and in particular the first sentence of the fourth subparagraph of Article 16 (2) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas Article 16 of Regulation No 120/67/EEC provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation No 139/67/EEC [3] of 21 June 1967 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds provides that when refunds are being fixed account must be taken ofthe existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the world market on the other; whereas the same article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas Article 3 of Regulation No 139/67/EEC defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation No 139/67/EEC; whereas, furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation No 162/67/EEC [4], as amended by Regulation (EEC) No 1607/71 [5];

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

Whereas the refund must be fixed once a week; whereas it may be altered in the intervening period;

Whereas, if the refund 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 %, a 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 it follows from applying the rules outlined above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds, should be fixed as shown in the Annex to this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The refunds on the products listed in Article 1 (a), (b) and (c) of Regulation No 120/67/EEC, exported in the natural state, are hereby fixed as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 22 February 1974.

(1) OJ No 117, 19. 6. 1967, p. 2269/67.
(2) OJ No L 141, 28. 5. 1973, p. 8.
(3) OJ No 125, 26. 6. 1967, p. 2453/67.
(4) OJ No 128, 27. 6. 1967, p. 2574/67.
(5) OJ No L 168, 27. 7. 1971, p. 16.

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

Done at Brussels, 21 February 1974.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

*ANNEX*

**to the Commission Regulation of 21 February 1974 fixing the refunds applicable to cereals and certain categories of wheat or rye flour, groats and meal**

*(u.a./t)*

| CCT heading No | Description of products | Refund |
|---|---|---|
| 10.01 A | Common wheat, and meslin | — |
| 10.01 B | Durum wheat | — |
| 10.02 | Rye (1) | — |
| 10.03 | Barley | — |
| 10.04 | Oats | — |
| 10.05 B | Maize (other than hybrid maize for sowing) | — |
| 10.07 C | Grain sorghum | — |
| ex 11.01 A | Wheat flour : | |
| | — of an ash content of 0 to 520 | — |
| | — of an ash content of 521 to 600 | — |
| | — of an ash content of 601 to 900 | — |
| | — of an ash content of 901 to 1 100 | — |
| | — of an ash content of 1 101 to 1 650 | — |
| | — of an ash content of 1 651 to 1 900 | — |
| ex 11.01 B | Rye flour : | |
| | — of an ash content of 0 to 700 | — |
| | — of an ash content of 701 to 1 150 | — |
| | — of an ash content of 1 151 to 1 600 | — |
| | — of an ash content of 1 601 to 2 000 | — |
| 11.02 A I a | Durum wheat groats and meal : | |
| | — of an ash content of 0 to 950 | — |
| | — of an ash content of 951 to 1 300 | — |
| | — of an ash content of 1 301 to 1 500 | — |
| 11.02 A I b | Common wheat groats and meal : | |
| | — of an ash content of 0 to 520 | — |

(1) The refund is granted solely in respect of rye which has not been denatured pursuant to Article 7 (3) and (5) of Regulation No 120/67/EEC.

**The amount by which the refund may be increased pursuant to Article 1 of Regulation No 587/67/EEC is 2 u.a./ton.**