REGULATION (EEC) No 1097/75 OF THE COMMISSION

of 28 April 1975

fixing the rates of the refunds applicable from 1 May 1975 to sugar and molasses 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 Council Regulation No 1009/67/EEC [1] of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 2476/74 [2], and in particular the first sentence of the sixth subparagraph of Article 17 (2) thereof ;

Whereas Article 17 (1) of Regulation No 1009/67/EEC provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a), (c) and (d) of that Regulation and prices within the Community may be covered by an export refund ; whereas Council Regulation (EEC) No 2682/72 [3] 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, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation No 1009/67/EEC ;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 2682/72, the rate of the refund per 100 kilogrammes for each of the basic products in question must be fixed for each month ;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to :

(a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world market ;

(b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions ;

(c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements ;

Whereas Article 4 (3) of Regulation (EEC) No 2682/72 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products ; whereas a production refund is granted in respect of white sugar or raw sugar under the conditions laid down in Council Regulation (EEC) No 765/68 [4] of 18 June 1968 laying down general rules for the production refund on sugar used in the chemical industry, as last amended by Regulation (EEC) No 2477/74 [5] ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The rates of the refunds applicable from 1 May 1975 to the basic products appearing in Annex A to Regulation (EEC) No 2682/72 and listed in Article 1 (1) of Regulation No 1009/67/EEC, exported in the form of goods listed in the Annex to Regulation No 1009/67/EEC, remain unchanged as shown in the Annexes to Regulation (EEC) No 826/75 [6].

Article 2

This Regulation shall enter into force on 1 May 1975.

(1) OJ No 308, 18. 12. 1967, p. 1.
(2) OJ No L 264, 1. 10. 1974, p. 70.
(3) OJ No L 289, 27. 12. 1972, p. 13.
(4) OJ No L 143, 25. 6. 1968, p. 1.
(5) OJ No L 264, 1. 10. 1974, p. 71.
(6) OJ No L 79, 28. 3. 1975, p. 21.

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

Done at Brussels, 28 April 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission