REGULATION (EEC) No 1435/75 OF THE COMMISSION

of 3 June 1975

amending Regulations (EEC) No 2637/70 and (EEC) No 2500/73 on the advance fixing of refunds and the period of validity of export licences for milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to 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 Regulation (EEC) No 740/75 (2), and in particular Articles 13 (3) and 17 (4) thereof;

Whereas the amounts of the security for export licences for milk and milk products were fixed by Article 37 of Commission Regulation (EEC) No 2637/70 (3) 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 last amended by Regulation (EEC) No 972/75 (4);

Whereas in the present market situation, some of these amounts must be altered in order to encourage exports by reducing the financial burden of traders, while enabling the undertaking to export to be carried out during the period of validity of the export licence;

Whereas, in accordance with Commission Regulation (EEC) No 2500/73 (5) of 13 September 1973 on the advance fixing of refunds and the period of validity of export licences for milk and milk products, as last amended by Regulation (EEC) No 2976/74 (6), the refund cannot be fixed in advance for exports of skimmed-milk powder and butter to zone E, Canada, Mexico and Puerto-Rico;

Whereas the system at present applied in the United States (zone E) precludes the export of those products to that destination and whereas no refund has therefore been fixed for those exports; whereas, consequently, it is no longer necessary to list zone E in Annex I to Regulation (EEC) No 2500/73 in respect of skimmed-milk powder and butter, and the possibility of fixing in advance the refund on exports of those products to countries bordering on zone E may be reintroduced; whereas, for the same reasons, Commission Regulation (EEC) No 2472/74 (7) of 30 September 1974 laying down special detailed rules for the export of skimmed-milk powder and butter to Canada and Mexico is no longer necessary and must be repealed; whereas, furthermore, in Annex I to Regulation (EEC) No 2500/73 exports of Emmentaler and Gruyère cheeses to Liechtenstein and Switzerland should be deleted, since no refunds have been fixed for those exports;

Whereas the market situation in the United States requires that the period of validity of export licences for cheeses exported to zone E should be reduced and whereas Annex II to Regulation (EEC) No 2500/73 should therefore be adapted;

Whereas the development of the market in skimmed-milk powder and in butter makes it possible to extend the period of validity of export licences for those products; whereas Annexes II and IV to Regulation (EEC) No 2500/73 should therefore be amended accordingly;

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 text of Article 37 (2) of Regulation (EEC) No 2637/70 is replaced by the following text:

'2. The amount of the security for export licences for the products listed in Article 1 of Regulation (EEC) No 804/68 shall, per 100 kg net, be:

— 0·25 unit of account for products falling within tariff subheading 04.01 A of the Common Customs Tariff;

— 0·50 unit of account for products falling within tariff subheading 04.01 B of the Common Customs Tariff;

— 2·00 units of account for products falling within tariff heading No 04.04 of the Common Customs Tariff;

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 74, 22. 3. 1975, p. 1.
(3) OJ No L 283, 29. 12. 1970, p. 15.
(4) OJ No L 94, 16. 4. 1975, p. 13.
(5) OJ No L 258, 14. 9. 1973, p. 1.
(6) OJ No L 317, 27. 11. 1974, p. 14.
(7) OJ No L 264, 1. 10. 1974, p. 63.

— 3·00 units of account for products falling within tariff heading No 04.03 of the Common Customs Tariff;
— 1·00 unit of account for other products.'

Article 2

Annexes I, II and IV to Regulation (EEC) No 2500/73 are replaced by the Annexes to this Regulation.

Article 3

Regulation (EEC) No 2472/74 is repealed.

It shall remain applicable, however, to products for which the customs export formalities were completed before the date of entry into force of this Regulation.

Article 4

This Regulation shall enter into force on 9 June 1975.

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

Done at Brussels, 3 June 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX I

List of products and destinations for which advance fixing is excluded

(Applicable from 9 June 1975)

CCT heading No	Description	Destination
04.04		Zone D
ex 04.04 E I b) 5	Butterkase, Edam, Fontal, Fontina, Gouda, Italico, Mimolette, Saint-Paulin, Tilsit and other cheeses of a water content calculated by weight of the non-fatty matter exceeding 52 % but not exceeding 67 %	Liechtenstein Switzerland

ANNEX II

Period of validity of export licences

(Applicable from 9 June 1975)

Period of validiy	CCT heading No	Description	Compulsory destination (1)
(a) 90 days	04.02 A II b) 1 ex 04.02 A II b) 2	Milk and cream, in powder or granules, other than in immediate packings of a net capacity of 2·5 kg (1) or less and of a fat content, by weight, not exceeding 11 % (2)	—
(b) Until the end of the second month following the month in which the licence was issued	ex 04.04	Cheeses exported to zone E	Zone E
(c) Until the end of the eleventh month following the month in which the licence was issued	ex 04.01 A	Milk and cream, fresh, not concentrated or sweetened of a fat content, by weight, not exceeding 6 %, exported to a destination other than countries near the Community (3)	Destinations other than countries near the Community
(d) Until the end of the fifth month following the month in which the licence was issued	The other products listed in Article 1 of Regulation (EEC) No 804/68		—

(1) See Article 2 (3). However, in case Annex I excludes advance fixing of refunds for certain products and destinations, the export licence issued for these products makes it compulsory to export to destinations other than those listed in Annex I.

(2) See Article 2 (2).

(3) The following destinations are considered countries near the Community for the purposes of this Regulation : zone D, Austria, Liechtenstein, Switzerland, Yugoslavia, and the destinations listed in Article 3 of Regulation (EEC) No 192/75.

ANNEX IV

List of products for which the period of validity of an export licence may be extended

(Applicable from 9 June 1975)

CCT heading No	Description	Period of extension
04.02 A II b) 1		Until the end of the twelfth month following the month in which the licence was issued (1)
ex 04.02 A II b) 2	Milk and cream, in powder or granules, other than in immediate packings of a net capacity of 2·5 kg or less and of a fat content, by weight, not exceeding 11 %	Until the end of the twelfth month following the month in which the licence was issued (1)

(1) This period of extension does not apply to licences the period of validity of which has already been exended.