REGULATION (EEC) No 1991/75 OF THE COMMISSION

of 30 July 1975

on the adjustment of the export refunds on malt provided for in Article 16 (4) of Regulation No 120/67/EEC

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 665/75 (2), and in particular Article 16 (6) thereof;

Whereas for barley malt exported during the first two months of the marketing year for which the refund was fixed in advance before 1 August, Article 16 (4) of Regulation No 120/67/EEC lays down the conditions under which the refund fixed in advance must be adjusted;

Whereas it is necessary to verify, for purposes of the adjustment of the export refund, that the barley malt exported during the first two months of the marketing year was in store at the end of the previous marketing year or was made from barley in store at that time; whereas to this end it is necessary that the quantities of barley and malt in store at the end of the 1974/75 marketing year be ascertained; whereas the competent authorities of each Member State should be responsible for ascertaining those quantities and for taking all necessary steps to ensure that the Community provisions relating to the adjustment of refunds on malt exported during the period under consideration are complied with;

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

To qualify for adjustment of the export refund on barley malt provided for in Article 16 (4) of Regulation No 120/67/EEC the exporter must:

— if the malt was made from barley in store at the end of the marketing year, supply the competent authority of the Member State which delivered the export licence with documents certifying:

(a) that the barley comes from stocks declared to the competent authority of the Member State in whose territory they were situated, by registered letter, telex or telegram sent not later than 7 August 1975 indicating the quantities of barley in store on 31 July 1975 and at what place those stocks may be verified;

(b) that the malt was exported after 31 July and before 1 October 1975.

The certificate required under (a) shall be endorsed by the competent authority to which the stocks are declared.

— if the malt was in store at the end of 1974/75 marketing year, supply the competent authority of the Member State which issued the export licence with documents certifying:

(a) that the malt comes from stocks declared to the competent authority of the Member State in whose territory the stock was situated, by registered letter, telex or telegram sent not later than 7 August 1975 indicating the quantities of malt in store on 31 July 1975 and at what place those stocks may be verified;

(b) that the malt was exported after 31 July and before 1 October 1975.

The certificate required under (a) shall be endorsed by the competent authority to which the stocks are declared.

Article 2

1. The competent authority of each Member State:

(a) shall effect the necessary verification of stocks and of movements thereof within its territory;

(b) shall adopt all necessary additional measures to take account of the special conditions within its territory and in particular of the periods during which stocks and movements thereof are to be the subject of verification.

2. The Member States shall send to the Commission not later than 31 December 1975, a report in writing on the operation of this Regulation, indicating

(1) OJ No 117, 19. 6. 1967, p. 2269/67.
(2) OJ No L 72, 20. 3. 1975, p. 14.

in particular the quantities of barley and malt in store at the end of the marketing year and the quantities of malt exported to which the provisions of this Regulation have been applied.

3. The competent authority shall for each Member State be the intervention agency or such other body as the Member State shall designate.

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

Done at Brussels, 30 July 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission