REGULATION (EEC) No 3129/75 OF THE COMMISSION

of 28 November 1975

fixing the rates of the refunds applicable from 1 December 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 (EEC) No 3330/74 [1] of 19 December 1974 on the common organization of the market in sugar, as amended by Regulation (EEC) No 2623/75 [2], and in particular the first sentence of the sixth subparagraph of Article 19 (2) thereof;

Whereas Article 19 (1) of Regulation (EEC) No 3330/74 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 Annex I to Regulation (EEC) No 3330/74;

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 the Management Committee for Sugar has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable from 1 December 1975 to the basic products appearing in Annex A to Regulation (EEC) No 2682/72 and listed in Article 1 (1) of Regulation (EEC) No 3330/74, exported in the form of goods listed in Annex I to Regulation (EEC) No 3330/74, remain unchanged as shown in the Annexes to Regulation (EEC) No 826/75 [4].

Article 2

This Regulation shall enter into force on 1 December 1975.

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(1) OJ No L 359, 31. 12. 1974, p. 1.
(2) OJ No L 268, 17. 10. 1975, p. 1.
(3) OJ No L 289, 27. 12. 1972, p. 13.
(4) 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 November 1975.

For the Commission

Finn GUNDELACH

Member of the Commission