REGULATION (EEC) No 38/75 OF THE COMMISSION

of 8 January 1975

amending Regulation (EEC) No 2637/70 concerning the application of the system of import and export licences for sugar

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 Articles 11 (2) and 25 (3) thereof;

Whereas the levy referred to in Article 16 of Regulation No 1009/67/EEC is charged on exports of certain quantities of sugar produced in excess of the maximum quota; whereas it should be expressly stated that Article 31 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 2858/74 [4], does not apply to the abovementioned quantities of sugar; whereas it is also desirable to clarify the text of Article 33a of the said Regulation;

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 flollowing paragraph is added to Article 31 of Regulation (EEC) No 2637/70:

'The provisions of this Article shall not apply to sugar on which the export levy referred to in Article 16 of Regulation No 1009/67/EEC is charged pursuant to Article 25 (2) of that Regulation.'

Article 2

The first paragraph of Article 33a of Regulation (EEC) No 2637/70 is replaced by the following:

'1. Without prejudice to the application of Article 21 of Regulation No 1009/67/EEC, export licences for sugars falling within tariff heading No 17.01, other than those to which the provisions of Article 31 apply, shall be issued on the third working day following the day on which the application is lodged.'

Article 3

This Regulation shall enter into force on the third day following 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, 8 January 1975.

For the Commission

The President

François-Xavier ORTOLI

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(1) OJ No 308, 18. 12. 1967, p. 1.
(2) OJ No L 264, 1. 10. 1974, p. 70.
(3) OJ No L 283, 29. 12. 1970, p. 15.
(4) OJ No L 305, 15. 11. 1974, p. 27.