REGULATION (EEC) No 404/75 OF THE COMMISSION

of 19 February 1975

amending Regulation (EEC) No 3348/73 concerning the levying of a tax on the exportation of certain goods covered by Regulation (EEC) No 1059/69

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1059/69 (1) of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products, as last amended by Regulation (EEC) No 1491/73 (2), and in particular Article 9a thereof;

Whereas Commission Regulation (EEC) No 3348/73 (3) of 12 December 1973 as amended by Regulation (EEC) No 344/74 (4) created an export tax;

Whereas it appears appropriate, in order to take into account the interests of the sugar processing industry, to exclude from the application of this tax certain habitually traded processed products put up in packings of a net capacity not exceeding 3·5 kg;

Whereas the complete text of the Annex to Regulation (EEC) No 3348/73 in its amended form should be published anew with, in the interests of clarity, certain changes in presentation;

Whereas, in accordance with the second paragraph of Article 9a of Regulation (EEC) No 1059/69, the Member States have been consulted on this measure,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3348/73 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 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, 19 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

(1) OJ No L 141, 12. 6. 1969, p. 1.
(2) OJ No L 151, 7. 6. 1973, p. 1.
(3) OJ No L 342, 13. 12. 1973, p. 16.
(4) OJ No L 40, 12. 2. 1974, p. 6.

ANNEX

CCT heading No	Description
18.06	Chocolate and other food preparations containing cocoa :
	ex A. Cocoa powder, not otherwise sweetened than by the addition of sucrose, close wrapped in immediate packings of a net capacity of more than 2·5 kg
	ex D. Other, containing 50 % or more by weight of sucrose (including invert sugar expressed as sucrose), close wrapped in immediate packings of a net capacity of more than 2·5 kg, with the exception of :
	a) Preparations for the manufacture of ice-cream, flavoured and/or coloured
	b) Chocolate milk crumb
21.07	Food preparations not elsewhere specified or included :
	ex F. Other, containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose), close wrapped in immediate packings of a net capacity of more than 2·5 kg, with the exception of :
	a) Preparations for the manufacture of ice-cream, flavoured and/or coloured
	b) Improvers for baking
	c) The following preparations, close wrapped in immediate packings of a net capacity not exceeding 3·5 kg :
	1. Jelly crystals or powders, whether or not flavoured or coloured, containing glucose solids, agar-agar or other jelling agent, and edible acid, and containing not more than 85 % by weight of sucrose (including invert sugar expressed as sucrose)
	2. Preparations for making macaroon biscuits and cake fillings, containing ground almonds or other nuts, ground or broken rice, and one or more other ingredients, and containing not more than 65 % by weight of sucrose (including invert sugar expressed as sucrose)
	3. Plasticized pastes for use as coating for cakes or other bakers' wares, containing vegetable fat, glucose, emulsifier, flavouring, colouring and one or more other ingredients, and containing not more than 80 % by weight of sucrose (including invert sugar expressed as sucrose)