REGULATION (EEC) No 825/75 OF THE COMMISSION

of 25 March 1975

laying down special detailed rules for the application of export levies on 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 Article 16 (4) and (5) thereof;

Whereas Article 16 of Regulation No 1009/67/EEC provides for an export levy, or where appropriate a special export levy, to be charged in certain circumstances; whereas the relevant general rules and detailed implementing rules are contained in Council Regulation (EEC) No 608/72 (3) of 23 March 1972 laying down rules to be applied in cases of considerable price rises on the world sugar market, and in Regulation (EEC) No 645/75 (4) laying down common detailed rules for the application of the export levies and charges on agricultural products;

Whereas Regulation (EEC) No 645/75 repealed the Regulations laying down detailed rules for the application of the export levy or special export levy on sugar without re-enacting certain provisions specifically applicable to that sector; whereas it is necessary to re-enact these specific provisions in a Regulation laying down the special detailed rules to be applied;

Whereas it is necessary, where there is a difference between the yield of the raw sugar concerned and that of raw sugar of the standard quality, to apply the same corrective factor as is applied, pursuant to Council Regulation (EEC) No 431/68 (5) of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar, in the case of imports;

Whereas the determination of sucrose content, including other sugars expressed as sucrose, should be carried out in accordance with Commission Regulation (EEC) No 394/70 (6) of 2 March 1970 on detailed rules for granting export refunds on sugar;

Whereas, since trade in the products specified in Article 1 (1) (b) of Regulation No 1009/67/EEC is of a seasonal nature, it appears sufficient that the special export levy be in principle fixed only once each sugar marketing year for such products; whereas this levy should be charged per metric ton of product; whereas in calculating this levy account should be taken on a flat rate basis of the difference, per 100 kg of white sugar, between the average cif price of white sugar during a certain period and the threshold price of such sugar at the time when the special levy is fixed; whereas this difference must be multiplied by appropriate coefficients, which will in general correspond to the natural sucrose content, as recorded over the Community as a whole, of the relevant products;

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 object of this Regulation is to lay down special detailed rules for the application of export levies or special export levies on:

— beet sugar and cane sugar, solid, as specified in Annex I hereto,

— sugar syrups and other sugars, as specified in Annexes II and III hereto,

— sugar beet and sugar cane, as specified in Annex IV hereto.

Article 2

Where the yield of the raw sugar exported, as determined in accordance with Article 1 of Regulation (EEC) No 431/68, differs from the yield laid down for the standard quality, the levy to be charged per 100 kg of the said raw sugar shall be calculated by multiplying the export levy on standard quality raw sugar by a corrective factor. The corrective factor shall be obtained by dividing the percentage yield of the raw sugar exported by 92.

(1) OJ No 308, 18. 12. 1967, p. 1.
(2) OJ No L 264, 1. 10. 1974, p. 70.
(3) OJ No L 75, 28. 3. 1972, p. 5.
(4) OJ No L 67, 14. 3. 1975, p. 16.
(5) OJ No L 89, 10. 4. 1968, p. 3.
(6) OJ No L 50, 4. 3. 1970, p. 1.

Article 3

1. In respect of the products specified in Annex II the special export levy shall in principle be fixed at regular intervals. The amount of such levy shall be fixed by reference to the amount of the special export levy applicable to white sugar taking into account the economic and technical aspects of the products concerned. The amount so fixed shall constitute the basic amount of the special export levy. Such basic amount shall be fixed per kilogramme of sucrose content, including the content of other sugars expressed as sucrose. Such contents shall be determined in accordance with Article 13 (1) to (3) of Regulation (EEC) No 394/70.

In respect of the products specified in Annex III the basic amount of the special export levy shall be 0·20 unit of account per kilogramme of sucrose content, including the content of other sugars expressed as sucrose.

2. The special export levy per 100 kg of products as specified in Annexes II and III to this Regulation shall be equal to the basic amount multiplied by the measured sucrose content, including where appropriate the content of other sugars expressed as sucrose.

Article 4

1. In respect of the product specified in Annex IV the special export levy shall in principle be fixed, in units of account per metric ton, once for each sugar marketing year.

2. The amount of the levy shall be determined per metric ton of product by multiplying the difference, per 100 kg of white sugar, between the average cif price recorded during the three months preceding the month in which the said levy is fixed and the threshold price in force on the day of such fixing by a coefficient of :

(a) 1·6 in the case of fresh sugar beet, whole or sliced,

(b) 5·5 in the case of dried sugar beet, whole, sliced or powdered,

(c) 1·1 in the case of sugar cane.

Article 5

This Regulation shall enter into force on 31 March 1975.

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

Done at Brussels, 25 March 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX I

CCT heading No	Description of goods
17.01	Beet sugar and cane sugar, solid : A. Denatured : I. White sugar II. Raw sugar B. Undenatured : I. White sugar ex II. Raw sugar excluding candy sugar

ANNEX II

CCT heading No	Description of goods
17.02	Other sugars ; sugar syrups ; artificial honey (whether or not mixed with natural honey) ; caramel :
	ex D. Invert sugar and other syrup, excluding sucrose syrups with a purity (1) of not more than 97 % in immediate packings of a net content not exceeding 25 kg
	ex F. Caramel made from beet sugar or cane sugar
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion :
	ex C. Other, excluding syrups and sugar flavoured with vanilla, contained in immediate packings of a net content not exceeding 2·5 kg and molasses

(1) The purity of syrups shall be determined in accordance with the provisions of Article 13 (2) of Regulation (EEC) No 394/70.

ANNEX III

CCT heading No	Description of goods
17.02	Other sugars ; sugar syrups ; artificial honey whether or not mixed with natural honey ; caramel :
	ex D. Other sugars (excluding invert sugar), sucrose syrups with a purity (1) of not more than 97 % in immediate packings of a net content not exceeding 25 kg
	E. Artificial honey, whether or not mixed with natural honey
17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion :
	ex C. Syrups and sugar flavoured with vanilla, contained in immediate packings of a net content not exceeding 2·5 kg

(1) The purity of syrups shall be determined in accordance with the provisions of Article 13 (2) of Regulation (EEC) No 394/70.

ANNEX IV

CCT heading No	Description of goods
12.04	Sugar beet, whole or sliced, fresh, dried or powdered ; sugar cane :
	A. Sugar beet :
	ex I. Fresh, of a sugar content equal to or greater than 12·5 %
	II. Dried or powdered
	B. Sugar cane