REGULATION (EEC) No 87/75 OF THE COUNCIL

of 13 January 1975

amending Regulation No 139/67/EEC on the fixing of export refunds on cereals

THE COUNCIL 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 85/75 (2), and in particular Article 16 (5) thereof;

Having regard to the proposal from the Commission;

Whereas Regulation No 139/67/EEC (3) of 21 June 1967 laid down general rules for export refunds on cereals; whereas the refund constitutes an instrument for permitting the continuation of export of cereals products towards third countries; whereas these exports could be achieved hitherto by using the refund without any quantitative restriction; whereas it is however important in certain situations, and particularly in periods of uncertainty or of large price fluctuations on the world market, to ensure more precise management of exports; whereas the fixing of the refund by means of tenders seems to be a suitable method for attaining this objective,

HAS ADOPTED THIS REGULATION:

Article 1

The following Article shall be added to Regulation No 139/67/EEC:

'*Article 4a*

1. The refund for the products referred to in Article 1 (a) and (b) of Regulation No 120/67/EEC may be fixed, where appropriate, by means of tenders. These tenders shall relate to the amount of the refund.

2. The detailed rules for the application of paragraph 1 shall be adopted in accordance with the procedure laid down in Article 26 of Regulation No 120/67/EEC.'

Article 2

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, 13 January 1975.

For the Council

The President

M. A. CLINTON

(1) OJ No 117, 19. 6. 1967, p. 2269/67.
(2) See p. 1 of this Official Journal.
(3) OJ No 125, 26. 6. 1967, p. 2453/67.