COMMISSION REGULATION (EEC) No 646/80

of 17 March 1980

amending for the 11th time Regulation (EEC) No 2044/75 and amending Regulation (EEC) No 210/69 as regards export licences and certificates for butter, butteroil and skimmed-milk powder exported pursuant to Regulations (EEC) No 303/77 and (EEC) No 400/80

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products (1), as last amended by Regulation (EEC) No 1761/78 (2), and in particular Articles 13 (3) and 17 (4) thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2044/75 (3), as last amended by Regulation (EEC) No 203/80 (4), provides in particular that, henceforth, for any export of butter, butteroil and certain skimmed-milk powders, the production of an export licence is necessary;

Whereas, in respect of the products in question exported as food aid in accordance with Commission Regulation (EEC) No 303/77 (5), as last amended by Regulation (EEC) No 1488/79 (6), no refund or compensatory amount is applied; whereas butter exported pursuant to Commission Regulation (EEC) No 400/80 (7) is not eligible for a refund either; whereas special rules are laid down with regard to the monetary compensatory amount;

Whereas, in order that account may be taken of these special arrangements at the time of export, it appears necessary for export licences issued in such cases to bear an appropriate form of wording;

Whereas the relevant Regulations already provide for effective guarantees to ensure that the exports are actually carried out; whereas it is not therefore necessary to require the security referred to in Article 11 (2) of Regulation (EEC) No 2044/75; whereas the exports involved are not relevant to the daily communications to be sent to the Commission pursuant to Article 6 (1) of Commission Regulation (EEC) No 210/69 (8), as last amended by Regulation (EEC) No 203/80; whereas it is therefore appropriate to derogate from this provision in this particular case;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2044/75 is amended as follows:

1. In Article 2, the following paragraph 4 is added:

'4. The application for the licence referred to in paragraph 3 and the licence itself shall bear:

(a) in the case of an export under Regulation (EEC) No 303/77, in Section 12, one of the following forms of wording:

— 'Food aid (Regulation (EEC) No 303/77)',
— 'Fødevarehjælp (forordning (EØF) nr. 303/77)',
— 'Aide alimentaire (règlement (CEE) n° 303/77)',
— 'Nahrungsmittelhilfe (Verordnung (EWG) Nr. 303/77)',
— 'Aiuto alimentare (regolamento (CEE) n. 303/77)',
— 'Aiuto (Verordening (EEG) nr. 303/77)';

(b) in the case of an export under Regulation (EEC) No 400/80, in Section 12, one of the following forms of wording, as appropriate:

— 'Destination zone C 1' or 'Destination zone C 2',
— 'Destination zone C 1' eller 'Destination zone C 2',
— 'Bestimmung Zone C 1' oder 'Bestimmung Zone C 2',
— 'Destination zone C 1' ou 'Destination zone C 2',
— 'Destinazione zona C 1' o 'Destinazione zona C 2',
— 'Bestemming zone C 1' of 'Bestemming zone C 2',

together with a reference to Regulation (EEC) No 400/80;

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 204, 28. 7. 1978, p. 6.
(3) OJ No L 213, 11. 8. 1975, p. 15.
(4) OJ No L 24, 31. 1. 1980, p. 18.
(5) OJ No L 43, 15. 2. 1977, p. 1.
(6) OJ No L 181, 18. 7. 1979, p. 20.
(7) OJ No L 46, 21. 2. 1980, p. 14.
(8) OJ No L 28. 5. 2. 1969, p. 1.

(c) also, in the cases referred to in (a) and (b), in Section 13, a reference to the country of destination.

The licences referred to in this paragraph shall :

— bear, in Section 18, one of the following forms of wording :
  — 'To be exported without refund',
  — 'Eksporteres uden restitution',
  — 'Ausfuhr ohne Erstattung',
  — 'À exporter sans restitution',
  — 'Esportati senza restituzione',
  — 'Uitvoer zonder restitutie' ;

— apply only in respect of an export to be carried out under the Regulations concerned.

2. The following paragraph 3 is added to Article 11 :

'3. However, no security need be lodged in the case of an export licence for a transaction coming within the terms of Article 2 (4).'

Article 2

The following subparagraph is added to Article 6 (1) of Regulation (EEC) No 210/69 :

'The export licences referred to in Article 2 (4) of Regulation (EEC) No 2044/75 shall not be the subject of a communication pursuant to this Regulation.'

Article 3

This Regulation shall enter into force on 1 April 1980.

Export licences issued prior to the entry into force of this Regulation may be used for exports within the meaning of Article 2 (4) (a) and (b) of Regulation (EEC) No 2044/75.

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

Done at Brussels, 17 March 1980.

For the Commission

Finn GUNDELACH

Vice-President