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COMMISSION REGULATION (EEC) No 896/84

of 31 March 1984

laying down additional provisions concerning the grant of export refunds on milk and milk products

(OJ L 91, 1.4.1984, p. 71)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EEC) No 1161/84 of 27 April 1984	L 112	12	28.4.1984
►**M2**	Commission Regulation (EEC) No 2881/84 of 12 October 1984	L 272	16	13.10.1984

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COMMISSION REGULATION (EEC) No 896/84

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laying down additional provisions concerning the grant of export refunds on milk and milk products

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 856/84 [2], and in particular Article 17 (4) thereof,

Having regard to Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds [3], as last amended by Regulation (EEC) No 2429/72 [4], and in particular Article 6 (3) thereof,

Whereas, in accordance with Regulation (EEC) No 876/68, refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported without further processing, must be fixed taking certain factors into account; whereas one of those factors is the price of milk products on the Community market;

Whereas, where the intervention prices of milk products are increased at the beginning of a new milk year, the prices of milk products manufactured after that date are normally affected by the increase in intervention prices; whereas in this case it may be necessary to increase the refunds; whereas, where the intervention prices of milk products are decreased at the beginning of a new milk year, the prices of milk products may be affected in such a way that it is necessary to reduce the refunds; whereas it may be appropriate, however, to restrict the application of the new refunds to milk products manufactured during the new milk year; whereas for that reason the refund for a given product and for the same destination may differ according to the date of manufacture of the product in question;

Whereas Commission Regulation (EEC) No 1420/83 of 2 June 1983 laying down additional provisions concerning the grant of export refunds on milk and milk products [5] should therefore be repealed;

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:

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Article 1

1. Where, at the beginning of a new milk year, two refund amounts are fixed for the same product and destination, the granting of the higher refund is conditional:

— in cases where the intervention prices applicable as from the beginning of the new milk year have a positive effect on market prices for the product, on the production of evidence that the product exported was produced in the new milk year,

— in cases where the interventon prices applicable as from the beginning of the new milk year have a negative effect on market prices

[1] OJ No L 148, 28. 6. 1968, p. 13.
[2] OJ No L 90, 1. 4. 1984, p. 10.
[3] OJ No L 155, 3. 7. 1968, p. 1.
[4] OJ No L 264, 23. 11. 1972, p. 1.
[5] OJ No L 145, 3. 6. 1983, p. 12.

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for the product, on the production of evidence that the product exported was produced before the beginning of the new milk year.

2. The evidence referred to in the first indent of paragraph 1 need not be produced, in the case of an operator who applied for an export licence with advance fixing of the refund, where the customs export formalities referred to in Article 22 (1) (b) of Commission Regulation (EEC) No 3183/80 [1] are completed on or after the day on which the two refund amounts are replaced by a single amount.

3. In the case of products falling within subheadings 04.03 B or ex 23.07 B of the Common Customs Tariff, evidence of the following may be required in addition to or instead of the evidence referred to in paragraph 1:

— that the butter or cream used as the raw material for the manufacture of products falling within subheading 04.03 B,

— that skimmed milk or skimmed-milk powder incorporated in products falling within subheading ex 23.07 B,

were manufactured during the period in question.

4. Member States shall adopt the necessary measures concerning the supporting documents which may be used as proof as referred to in paragraphs 1 and 3, and the relevant control measures.

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Article 2

Regulation (EEC) No 1420/83 is hereby repealed.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 2 April 1984.

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

[1] OJ No L 338, 13. 12. 1980, p. 1.