COMMISSION REGULATION (EC) No 439/97

of 6 March 1997

altering the rate of refunds applicable for certain products of the cereals and rice sectors exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals [1], as last amended by Commission Regulation (EC) No 923/96 [2], and in particular the fourth subparagraph of Article 13 (3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice [3], and in particular Article 13 (3) thereof,

Whereas the rates of the refunds applicable from 1 March 1997 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Commission Regulation (EC) No 381/97 [4];

Whereas it follows from applying the rules and criteria contained in Regulation (EC) No 381/97 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto;

Whereas the second and third subparagraphs of Article 3 (3) of Commission Regulation (EC) No 1223/94 [5], as amended by Regulation (EC) No 2340/96 [6], provide that applications for advance-fixing certificates may be accepted by the Commission, in which case certificates are issued without waiting for the expiry of the five-day period;

Whereas the certificate applications made are justified by the market situation,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 381/97 are hereby altered as shown in the Annex hereto.

Article 2

Advance-fixing certificates applied for by 1 p.m. on 6 March 1997 for maize exported in the form of goods not covered by Annex II to the Treaty may be issued from 7 March 1997 at the rate in force on the day of the application.

Article 3

This Regulation shall enter into force on 7 March 1997.

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

Done at Brussels, 6 March 1997.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ No L 181, 1. 7. 1992, p. 21.
[2] OJ No L 126, 24. 5. 1996, p. 37.
[3] OJ No L 329, 30. 12. 1995, p. 18.
[4] OJ No L 60, 1. 3. 1997, p. 42.
[5] OJ No L 136, 31. 5. 1994, p. 33.
[6] OJ No L 318, 7. 12. 1996, p. 9.

ANNEX

to the Commission Regulation of 6 March 1997 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat:	
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—
	– in other cases	—
1001 90 99	Common wheat and meslin:	
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	0,666
	– in other cases:	
	– – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2)	—
	– – in other cases	1,025
1002 00 00	Rye	3,208
1003 00 90	Barley	2,750
1004 00 00	Oats	1,934
1005 90 00	Maize (corn) used in the form of:	
	– starch:	
	– – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2)	0,951
	– – in other cases	2,644
	– glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 (3):	
	– – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2)	0,546
	– – in other cases	2,239
	– other (including unprocessed)	2,644
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:	
	– where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2)	0,951
	– in other cases	2,644
1006 20	Husked rice:	
	– round grain	19,375
	– medium grain	17,250
	– long grain	17,250
ex 1006 30	Wholly-milled rice:	
	– round grain	25,000
	– medium grain	25,000
	– long grain	25,000
1006 40 00	Broken rice used in the form of:	
	– starch of CN code 1108 19 10:	
	– – where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 (2)	0,668
	– – in other cases	2,450
	– other (including unprocessed)	2,450

CN code	Description of products (1)	Rate of refund per 100 kg of basic product
1007 00 90	Sorghum	2,750
1101 00	Wheat or meslin flour:	
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	0,819
	– in other cases	1,261
1102 10 00	Rye flour	4,395
1103 11 10	Groats and durum wheat meal:	
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—
	– in other cases	—
1103 11 90	Common wheat groats and spelt:	
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	0,946
	– in other cases	1,456

(1) As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ No L 136, 31. 5. 1994, p. 5).

(2) The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ No L 159, 1. 7. 1993, p. 112).

(3) For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.