

REGULATION (EEC) No 3208/74 OF THE COMMISSION
of 19 December 1974

fixing adjustments to be made to certain refunds fixed in advance for certain milk products 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 Economic Community;

Having regard to Council Regulation (EEC) No 804/68⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 662/74⁽²⁾, and in particular Article 17⁽⁴⁾ thereof;

Whereas the third subparagraph of Article 5⁽³⁾ of Council Regulation (EEC) No 876/68⁽³⁾ of 28 June 1968 laying down general rules for granting export refunds on milk products and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 2732/71⁽⁴⁾, provides that when the amounts of the intervention prices or of certain aids are varied refunds fixed in advance may be adjusted;

Whereas Council Regulation (EEC) No 2496/74⁽⁵⁾ of 2 October 1974 fixed the new intervention prices valid in the milk and milk products sector for the 1974/75 milk marketing year;

Whereas Commission Regulation (EEC) No 2518/74⁽⁶⁾ of 4 October 1974 specifies the adjustments applicable to refunds fixed in advance in respect of milk products;

Whereas pursuant to the fifth subparagraph of Article 5⁽²⁾ of Council Regulation (EEC) No 2682/72⁽⁷⁾ of 12 December 1972 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amounts of such refunds, refunds fixed in advance for the products mentioned in Annex A to the said Regulation, other than those falling within subheading 04.05 A I b) or ex 04.05 B I, are to be adjusted according to the same rules as are applied for

the advance fixing of refunds for the said basic products when exported unprocessed, whereas it is therefore necessary to provide that refunds fixed in advance before 20 September 1974 in respect of the products in question on or after 7 October 1974 may also be adjusted;

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

1. Refunds fixed in advance before 20 September 1974 in respect of the products specified in the Annex hereto may, where such products are exported on or after 7 October 1974, be adjusted as shown in the said Annex.

Adjustments may be made only at the request of the party concerned.

2. The day to be taken:

- as the date of advance fixing shall be the day on which the application for the advance fixing certificate was lodged within the meaning of Article 8⁽¹⁾ of Regulation (EEC) No 1373/70;
- as the date of exportation shall be the day on which customs formalities as referred to in Article 8⁽²⁾ (b) of Regulation (EEC) No 1373/70 are completed.

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, 19 December 1974.

For the Commission
The President
François-Xavier ORTOLI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 85, 29. 3. 1974, p. 51.

⁽³⁾ OJ No L 155, 30. 6. 1968, p. 1.

⁽⁴⁾ OJ No L 282, 20. 12. 1971, p. 71.

⁽⁵⁾ OJ No L 268, 3. 10. 1974, p. 1.

⁽⁶⁾ OJ No L 270, 5. 10. 1974, p. 1.

⁽⁷⁾ OJ No L 289, 27. 12. 1972, p. 13.

ANNEX

List of adjustments applicable to refunds fixed in advance in respect of certain milk products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description of goods	Amount of adjustment u.a./100 Kg net weight
ex 04.02 A II	Milk powder, obtained by the spray process, with a fat content of less than 1.5 % by weight and with a water content of less than 5 % by weight (PG 2)	+ 3.74
ex 04.02 A II	Milk powder, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	+ 5.39
ex 04.02 A III	Concentrated milk with a fat content by weight of 7.5 % and a content by weight referred to dry matter equal to 25 % (PG 4)	+ 1.43
ex 04.03	Butter with a fat content by weight of 82 % (PG 6)	+ 7.58