

REGULATION (EEC) No 1611/68 OF THE COMMISSION

of 15 October 1968

making special provisions for the lowest rate of the refund applicable to exports of certain cheeses to third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68¹ of 27 June 1968 on the common organisation of the market in milk and milk products, and in particular Article 17 (4) thereof;

Having regard to Council Regulation (EEC) No 876/68² 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, and in particular Article 6 (2) thereof;

Whereas, where the export refund is varied according to use or destination, Article 8 (2) of Commission Regulation No 1041/67/EEC³ of 21 December 1967 on detailed rules for the application of export refunds on products subject to a single price system, as amended by Regulation (EEC) No 1056/68,⁴ provides that only that part of the refund calculated on the basis of the lowest rate of refund applicable on the day on which the customs export formalities are completed must be paid as soon as proof is furnished that the product has left the geographical territory of the Community; whereas the last indent of Article 9 (1) of Regulation No 1041/67/EEC specifies that the remainder of the refund may be advanced provided that there is security for repayment of the difference between the amount advanced and that calculated on the basis of the rate of refund referred to above;

Whereas, in respect of certain cheeses exported to Switzerland under the special measures introduced by Commission Regulation (EEC) No 1324/68⁵ of 29 August 1968 laying down special conditions for exports of certain cheeses to Switzerland, refunds are especially low owing to these measures;

Whereas application of the rule laid down in Article 8 (2) of Regulation No 1041/67/EEC tends to hinder normal trade in those products with third countries other than Switzerland; whereas the special measures for exports to Switzerland ensure that products for which a refund has been granted in respect of other destinations are not exported to Switzerland; whereas it is therefore advisable to provide for an exception to the application of the above-mentioned provisions;

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

In the determination of the lowest rate of refund within the meaning of Article 8 (2) and the last

¹ OJ No L 148, 28.6.1968, p. 13.

² OJ No L 155, 3.7.1968, p. 1.

³ OJ No 314, 23.12.1967, p. 9.

⁴ OJ No L 179, 25.7.1968, p. 28.

⁵ OJ No L 215, 30.8.1968, p. 25.

indent of Article 9 (1) of Regulation No 1041/67/EEC, the refunds on exports to Switzerland of products listed in Annex I to Regulation (EEC) No 1324/68 shall not be taken into account.

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 December 1968.

For the Commission

The President

Jean REY
