

## REGULATION (EEC) No 161/72 OF THE COMMISSION

of 25 January 1972

amending Regulations (EEC) Nos 2637/70 and 2683/70 as regards the advance fixing of the refund on butter

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

*Article 1*

Having regard to the Treaty establishing the European Economic Community;

In Article 35 (2) of Regulation (EEC) No 2637/70:

Having regard to Council Regulation (EEC) No 804/68<sup>1</sup> of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 1410/71<sup>2</sup> and in particular Article 17 (4) thereof;

— ' (b)', ' (c)' and ' (d)' shall be substituted for ' (a)', ' (b)' and ' (c)' respectively at the beginning of the subparagraphs;

Whereas the current market situation now makes it possible to fix a refund for butter in bulk, provided that the period of validity of export licences for this product is reduced, and to make provision for fixing in advance the refund on butter exported to zone E; whereas consequently Article 35 (2) of Commission Regulation (EEC) No 2637/70<sup>3</sup> of 23 December 1970 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, as last amended by Regulation (EEC) No 75/72,<sup>4</sup> and the Annex to Commission Regulation (EEC) No 2683/70<sup>5</sup> of 29 December 1970 laying down special procedures for the advance fixing of export refunds on milk and milk products; as last amended by Regulation (EEC) No 2369/71,<sup>6</sup> should be amended;

— the following subparagraph shall be inserted:

(a) the fifteenth day following that of issue:

'ex 04.03 butter other than in the form shown for butter coming under (b);

— the following shall be substituted for heading No '04.03' in the new subparagraph 'b':

'ex 04.03 butter in immediate packings of a net capacity not exceeding 1 kg or in hermetically sealed cans of a net content exceeding 1 kg but not exceeding 5 kg.'

*Article 2*

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

The reference to CCT subheading No ex 04.03 shall be deleted from the Annex to Regulation (EEC) No 2683/70.

*Article 3*

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

<sup>1</sup> OJ No L 148, 28.6.1968, p. 13.

<sup>2</sup> OJ No L 148, 3.7.1971, p. 3.

<sup>3</sup> OJ No L 283, 29.12.1970, p. 15.

<sup>4</sup> OJ No L 10, 13.1.1972, p. 14.

<sup>5</sup> OJ No L 285, 31.12.1970, p. 36.

<sup>6</sup> OJ No L 246, 5.11.1971, p. 27.

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

Done at Brussels, 25 January 1972.

*For the Commission*

*The President*

Franco M. MALFATTI

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