

REGULATION (EEC) No 1056/68 OF THE COMMISSION

of 23 July 1968

amending Regulation No 1041/67/EEC on detailed rules for the application of export refunds on products subject to a single price system

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 136/66/EEC¹ of 22 September 1966 on the establishment of a common organisation of the market in oils and fats;

Having regard to Council Regulation No 142/67/EEC² of 21 June 1967 on export refunds on colza, rape and sunflower seeds, and in particular Article 5 (2), second subparagraph, and Article 6 thereof;

Having regard to Council Regulation No 171/67/EEC³ of 27 June 1967 on export refunds and levies on olive oil, and in particular Article 8 (2), second subparagraph, Article 8 (3) and Article 11 thereof;

Having regard to Council Regulation No 120/67/EEC⁴ of 13 June 1967 on the common organisation of the market in cereals, and in particular Article 16 (6) thereof;

Having regard to Council Regulation No 139/67/EEC⁵ of 21 June 1967 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds, and in particular Article 7 (2), second subparagraph, and Article 7 (3) thereof;

Having regard to Council Regulation No 194/67/EEC⁶ of 27 June 1967 on the system to be applied to cereal-based compound feedings-stuffs, and in particular Article 8 (3), third subparagraph, and Article 8 (4) thereof;

Having regard to Council Regulation No 360/67/EEC⁷ of 25 July 1967 on the import and export system for products processed from cereals and from rice, and in particular Article 14 (3), third subparagraph, and Article 14 (4) thereof;

Having regard to Council Regulation No 121/67/EEC⁸ of 13 June 1967 on the common organisation of the market in pigmeat, and in particular Article 15 (6) thereof;

Having regard to Council Regulation No 177/67/EEC⁹ of 27 June 1967 laying down general rules for granting export refunds on pigmeat and criteria for fixing the amount of such refunds, and in particular Article 6 (2), second subparagraph, and Article 6 (3) thereof;

Having regard to Council Regulation No 122/67/EEC¹⁰ of 13 June 1967 on the common organisation of the market in eggs, and in particular Article 9 (3) thereof;

Having regard to Council Regulation No 175/67/EEC¹¹ of 27 June 1967 laying down general rules for granting export refunds on eggs and criteria for fixing the amount of such refunds, and in particular Article 6 (2), second subparagraph, and Article 6 (3) thereof;

Having regard to Council Regulation No 123/67/EEC¹² of 13 June 1967 on the common organisation of the market in poultrymeat, and in particular Article 9 (3) thereof;

Having regard to Council Regulation No 176/67/EEC¹³ of 27 June 1967 laying down general rules

¹ OJ No 172, 29.9.1966, p. 3025/66.

² OJ No 125, 26.6.1967, p. 2461/67.

³ OJ No 130, 28.6.1967, p. 2600/67.

⁴ OJ No 117, 19.6.1967, p. 2269/67.

⁵ OJ No 125, 26.6.1967, p. 2453/67.

⁶ OJ No 133, 29.6.1967, p. 2813/67.

⁷ OJ No 174, 31.7.1967, p. 13.

⁸ OJ No 117, 19.6.1967, p. 2283/67.

⁹ OJ No 130, 28.6.1967, p. 2614/67.

¹⁰ OJ No 117, 19.6.1967, p. 2293/67.

¹¹ OJ No 130, 28.6.1967, p. 2610/67.

¹² OJ No 117, 19.6.1967, p. 2301/67.

¹³ OJ No 130, 28.6.1967, p. 2612/67.

for granting export refunds on poultrymeat and criteria for fixing the amount of such refunds, and in particular Article 6 (2), second subparagraph, and Article 6 (3) thereof;

Having regard to Council Regulation No 359/67/EEC¹ on the common organisation of the market in rice, and in particular Article 17 (6) thereof;

Having regard to Council Regulation No 366/67/EEC² of 25 July 1967 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, and in particular Article 6 (2), second subparagraph, and Article 6 (3) thereof;

Having regard to Council Regulation No 1009/67/EEC³ of 18 December 1967 on the common organisation of the market in sugar, and in particular Article 17 (4) thereof;

Having regard to Council Regulation (EEC) No 766/68⁴ of 18 June 1968 laying down general rules for granting export refunds on sugar, and in particular Article 14 (2), second subparagraph, and Article 14 (3) thereof;

Having regard to Council Regulation (EEC) No 804/68⁵ 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 876/68⁶ 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), second subparagraph, and Article 6 (3) thereof;

Having regard to Council Regulation (EEC) No 805/68⁷ of 28 June 1968 on the common organisation of the market in beef and veal, and in particular Article 18 (6) thereof;

Having regard to Council Regulation (EEC) No 885/68⁸ of 28 June 1968 laying down general rules for granting export refunds on beef and veal and criteria for fixing the amount of such refunds, and in particular Article 6 (2), second subparagraph, and Article 6 (3) thereof;

Whereas sugar and like products have been subject to a single price system since 1 July 1968; whereas milk and milk products and beef and veal should be brought under that system from 29 July 1968; whereas the application of Regulation No 1041/67/EEC⁹ on detailed rules for the application of export refunds on products subject to a single price system should be extended to these products;

Whereas, when certain goods not covered by Annex II to the Treaty are exported, a refund must be granted in respect of certain basic agricultural products which enter into those goods; whereas, in such cases, the provisions of Regulation No 1041/67/EEC governing refunds on agricultural products exported unaltered should be applied as far as possible;

Whereas Council Regulation (EEC) No 802/68¹⁰ of 27 June 1968 on the common definition of the concept of the origin of goods entered into force on 1 July 1968; whereas Article 7 of Regulation No 1041/67/EEC should be amended accordingly;

Whereas, in accordance with Article 11 of Regulation No 1041/67/EEC, certain of the products covered by that Regulation may in France be bonded for export and, until 30 June 1968, qualify for payment of the refund as soon as they have been so bonded; whereas according to Article 11 (2) of that Regulation, France may, in respect of the other products covered by that Regulation and until 30 June 1968, extend the time limit between the completion of customs export formalities in respect of a product and the date of its leaving the geographical territory of the Community, for the purpose of paying an advance on the export refund;

Whereas, pending the introduction of Community rules on the payment of a refund where the goods have been bonded for export, the authorisation provided for in Article 11 (2) of Regulation No 1041/67/EEC should be extended;

Whereas the measures provided for in this Regulation are in accordance with the Opinions of the Management Committees for Cereals, for Pigmeat, for Poultrymeat and Eggs, for Oils and Fats, for Sugar, for Milk and Milk Products, and for Beef and Veal;

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be substituted for Article 1 (1) of Regulation No 1041/67/EEC:

'1. For the purposes of determining the rate of the refund on products covered by Regulations

¹ OJ No 174, 31.7.1967, p. 1.

² OJ No 174, 31.7.1967, p. 34.

³ OJ No 308, 18.12.1967, p. 1.

⁴ OJ No L 143, 25.6.1968, p. 6.

⁵ OJ No L 148, 28.6.1968, p. 13.

⁶ OJ No L 155, 3.7.1968, p. 1.

⁷ OJ No L 148, 28.6.1968, p. 24.

⁸ OJ No L 156, 4.7.1968, p. 2.

⁹ OJ No 314, 23.12.1967, p. 9.

¹⁰ OJ No L 148, 28.6.1968, p. 1.

Nos 136/66/EEC, 120/67/EEC, 121/67/EEC, 122/67/EEC, 123/67/EEC, 359/67/EEC, 1009/67/EEC, (EEC) No 804/68 and (EEC) No 805/68 where the refund is not fixed in advance, and of determining any adjustments to the rate of the refund where it is fixed in advance, the date of exportation shall be the day on which the customs authority accepts the document by which the declarant states his intention to export the products in question and qualify for a refund. At the time of such acceptance the products shall be placed under customs control until they leave the Community or, in any of the cases mentioned in Article 2, until they reach their destination.'

Article 2

The following shall be substituted for the third indent of Article 2 of Regulation No 1041/67/EEC:

'—supplies to armed forces stationed in the territory of a Member State but not coming under its flag.'

Article 3

The following shall be substituted for Article 7 of Regulation No 1041/67/EEC:

'1. For the purposes of the second indent of Article 7 (1) of Regulation No 139/67/EEC, the second indent of Article 6 (1) of Regulations Nos 175/67/EEC, 176/67/EEC, 177/67/EEC and 366/67/EEC, Article 15 (2) of Regulation (EEC) No 766/68, the second indent of Article 6 (1) of Regulations (EEC) Nos 876/68 and (EEC) No 885/68, the exporter must declare the origin of the product in question in terms of Community rules in force.

2. For the purposes of Article 15 (1) of Regulation (EEC) No 766/68 the exporter must declare that the product in question has been manufactured from Community beet or cane sugar.

3. The declarations provided for in paragraphs 1 and 2 shall be verified in the same way as the other items in the export declaration.'

Article 4

The following shall be substituted for Article 8 (1) of Regulation No 1041/67/EEC:

'For the purposes of the first subparagraph of Article 7 (2) of Regulation No 139/67/EEC, the first subparagraph of Article 5 (2) of Regulation No 142/67/EEC, the first subparagraph of Article 8 (2) of Regulation No 171/68/EEC, the first subparagraphs of Article 6 (2) of Regulations Nos 175/67/EEC, 176/67/EEC and 177/67/EEC, the second subparagraph of Article 8 (3) of

Regulation No 194/67/EEC, the second subparagraph of Article 14 (3) of Regulation No 360/67/EEC, the first subparagraph of Article 14 (2) of Regulation (EEC) No 766/68, the second subparagraph of Article 6 (2) of Regulations (EEC) No 876/68 and (EEC) No 885/68, the party concerned must submit one copy of the transport document and, at the discretion of the competent national authorities, one or more of the following documents certifying arrival in the country of destination or for the use in question: a copy of the customs or port document made out in the country of destination, a certificate issued by the official services of one of the Member States established in that country, a certificate by an international control and surveillance company. The competent national authorities may recognise other documents as equivalent and may require additional forms of proof. They shall so inform the Commission, which shall inform the other Member States thereof.'

Article 5

The following shall be substituted for Article 11 of Regulation No 1041/67/EEC:

'In respect of the products covered by this Regulation which are bonded for export, the French Republic may until 31 December 1968 extend the period provided for in the first indent of Article 9 (1) to 100 days, if like products qualified for the bonding procedure before 1 December 1967.

The time limits laid down in the second and third indents of Article 9 (1) and in Article 10 (2) shall be extended in the same way.'

Article 6

The following shall be substituted for Article 12 of Regulation No 1041/67/EEC:

'This Regulation shall be applicable without prejudice to any Community provisions for the establishment, in accordance with Article 16 of Regulation No 120/67/EEC, Article 15 of Regulation No 121/67/EEC, Article 9 of Regulations Nos 122/67/EEC and 123/67/EEC, Article 17 of Regulations Nos 359/67/EEC, 1009/67/EEC and (EEC) No 804/68 and Article 18 of Regulation (EEC) No 805/68, of a balance between the use of Community basic products for export to third countries, and the use of third-country products brought in under inward processing arrangements.'

Article 7

The following Article shall be added to Regulation No 1041/67/EEC:

Article 12a

The provisions of Articles 1 to 6 and 9 to 12 of this Regulation shall apply to exports of products covered by Regulations No 120/67/EEC, 122/67/EEC, 359/67/EEC, 1009/67/EEC and (EEC) No 804/68, in the form of goods appearing in Annex B to Regulations Nos 120/67/EEC and

359/67/EEC or in the Annexes to Regulations Nos 122/67/EEC, 1009/67/EEC and (EEC) No 804/68.'

Article 8

This Regulation shall enter into force on 29 July 1968.

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

Done at Brussels, 23 July 1968.

For the Commission

The President

Jean REY
