

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 118 final.

Brussels, 15 March 1978

Proposal for a

COUNCIL REGULATION (EEC)

amending the Annex to Regulation (EEC) No 804/68 on the common
organization of the market in milk and milk products

(submitted to the Council by the Commission)

COM(78) 118 final.



EXPLANATORY MEMORANDUM

1. Pursuant to Article 17 (1) of Regulation (EEC) No 804/68 refunds may be granted to enable the export of milk products either in unprocessed form, or in the form of goods listed in the Annex.

2. The purpose of this Regulation is to include heading No 22.09 of the Common Customs Tariff in the above-mentioned Annex and to thereby provide for the granting of refunds to milk products, in particular cream, which are incorporated to relatively high degrees in goods falling within the said tariff heading. In view of the trend in milk product prices in international trade and the resultant competition for Community industries exporting goods falling within tariff heading No 22.09, the refund will enable milk products of Community origin to be used in the manufacture of such goods.

3. Furthermore, for the sake of clarity of interpretation, amendments have been made to the tariff nomenclature of the Annex to Regulation (EEC) No 804/68 which it appeared advisable to replace with a new text.

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas pursuant to Article 17(1) of Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the markets in milk and
milk products⁽¹⁾, as last amended by Regulation (EEC) No 2560/77⁽²⁾, provides
that refunds may be granted to the extent necessary to enable such products
to be exported either in unprocessed form, or in the form of goods listed
in the Annex;

Whereas, in view of milk product prices in international trade, provision
should be made for the granting of refunds to milk products incorporated
in goods falling within heading No 22.09 of the Common Customs Tariff,
so as to enable industries exporting such goods to use milk products of
Community origin; whereas an addition should therefore be made to the Annex
to Regulation (EEC) No 804/68;

Whereas furthermore the complete tariff heading No 21.07 is included in
this Annex; whereas in the new customs nomenclature for agricultural pro-
ducts, adopted in accordance with the recommendation of the Customs Cooperation
Council, the products which fell within subheading 17.05 A are henceforth

(1) OJ No L 148, 28. 6.1968, p. 13
(2) OJ No L 303, 28.11.1977, p. 1

classified under the new subheading 21.07 F; whereas tariff subheading No 17.05 A was not included in the Annex to Regulation (EEC) No 804/68 and whereas no refund was granted under this Regulation to milk products exported in the form of goods falling within this subheading; whereas consequently, for the sake of clarity of interpretation, subheading 21.07 F must be specifically excluded from the Annex to Regulation (EEC) No 804/68;

Whereas for the same reasons of clarity this Annex should be replaced by a new text,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 804/68 is hereby replaced by the Annex hereto.

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,

For the Commission

A N N E X

CCT No	Description
17.02	<p>Other sugars in solid form; sugar syrups, not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:</p> <p>A. Lactose and lactose syrup:</p> <p style="padding-left: 40px;">I. containing, in the dry state, 99% or more by weight of the pure product</p>
17.04	<p>Sugar confectionery, not containing cocoa:</p> <p>C. White chocolate</p> <p>D. Other</p>
18.06	<p>Chocolate and other food preparations containing cocoa:</p> <p>B. Ice-cream (not including ice-cream powder) and other ices</p> <p>C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes thereof made from sugar substitution products, containing cocoa</p> <p>D. Other</p>
19.02	<p>Malt extract ; preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa:</p> <p>B. Other (than malt extract)</p>
19.08	<p>Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion:</p>
ex 21.07	<p>Food preparations not elsewhere specified or included with the exception of flavoured or coloured sugar syrups, falling within subheading 21.07 F</p>
22.02	<p>Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07</p> <p>B. Other (than those not containing milk or milk fats)</p>

CCT No	Description
22.09	<p>Ethyl alcohol or neutral spirits, undenatured, of a strength of 80° or higher; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations known as "concentrated extracts" for the manufacture of beverages:</p> <p>C. Spirituous beverages:</p> <p>V. Other (than rum, gin, whisky, vodka)</p>
35.01	Casein, caseinates and other casein derivatives; casein glues
35.02	<p>Albumins, albuminates and other albumin derivatives:</p> <p>A. Albumins:</p> <p>II. Other (than unfit, or to be rendered unfit for human consumption):</p> <p>ex a) Lactalbumin:</p> <p>1. Dried (e.g. in sheets, scales, flakes, powders)</p> <p>2. Other</p>

FINANCIAL STATEMENT

DATE : 17.1.78

1. BUDGET LINE CONCERNED : 740 milk product refunds - outside Annex II

2. ACTION : Draft Proposal for a Council Regulation amending Reg. (EEC) No 804/68 on the common organization of the market in milk and milk products

3. LEGAL BASIS : Art. 43 of the Treaty

4. OBJECTIVES : Granting of refunds for milk products which are used in the manufacture of goods falling within heading No 22.09 of the CCT (alcohol, spirituous beverages)

5. FINANCIAL CONSEQUENCE	FOR THE MARKETING YEAR	CURRENT FINANCIAL YEAR	FOLLOWING FINANCIAL YEAR
5.0 EXPENDITURE		(78)	(79)
-CHARGED TO THE EC BUDGET (REVENUE/EXPENDITURE)	+ 0,7 to 1,5 MUC	+ 0,6 to 1,2 MUC	0,7 to 1,5 MUC
XXXXXXXXXXXXXXXXXXXX			
XXXXXXXXXXXXXXXXXXXX			
9. RECEIPTS			
XXXXXXXXXXXXXXXXXXXX (REVENUE/EXPENDITURE)			
X XXXXXX			

YEAR80.....	YEAR81.....	YEAR82.....
5.0.1 PLURIANNUAL PATTERN OF EXPENDITURE max. 1,5 Muc	max. 1,5 Muc	max. 1,5 Muc
5.1.1 PLURIANNUAL PATTERN OF RECEIPTS		

5.2 METHOD OF CALCULATION - 1 000 t of fresh cream at 40% x 734,1 ua/t = 0,73 Muc
 Max. 2 000 t of fresh cream at 40% x 734,1 ua/t = 1,46 Muc. In view of a Decision by the Council during the month of March and of one month's delay in payment the expenditure for 1978 can be estimated at a maximum of 1,2 MUC. (Quantities for which refunds can be granted are estimated at between 1 000 and 2 000 t).

6.0 FINANCING POSSIBLE WITH CREDITS INSCRIBED IN RELEVANT CHAPTER OF CURRENT BUDGET ? YES/NO

6.1 FINANCING POSSIBLE BY TRANSFER BETWEEN CHAPTERS OF CURRENT BUDGET ? YES/NO

1)

6.2 NECESSITY FOR A SUPPLEMENTARY BUDGET ? YES/NO

1)

6.3 CREDITS TO BE WRITTEN INTO FUTURE BUDGETS ? YES/NO

YES/NO

COMMENTS :

1) When the budget 1978 was drawn up no account was taken of the refunds in question. Nevertheless additional expenditure resulting from this measure only account for a small percentage of 120 Muc laid down as refunds for goods not covered by Annex II of the 1978 budget.

Moreover, the quantity exported in this way will relieve the Community market and should reduce intervention costs (Chap. 62).