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## REGULATION No 175/67/EEC OF THE COUNCIL

of 27 June 1967

laying down general rules for granting export refunds on eggs and criteria for fixing  
the amount of such refunds

THE COUNCIL OF THE EUROPEAN ECONOMIC  
COMMUNITY,

Having regard to the Treaty establishing the Euro-  
pean Economic Community;

Having regard to Council Regulation No 122/67/  
EEC<sup>1</sup> of 13 June 1967 on the common organisation  
of the market in eggs, and in particular the fourth  
subparagraph of Article 9 (2) thereof;

Having regard to the proposal from the Commission;

Whereas export refunds on products subject to the  
common organisation of the market in eggs must be  
fixed in accordance with certain criteria which would  
make it possible to cover the difference between  
prices for those products within the Community and  
on the world market; whereas to this end the supply  
situation and prices for those products within the  
Community and the price situation on the world  
market must be taken into account;

Whereas the difference between prices within the  
Community and prices on the world market for the  
quantity of feed grain required for the production of  
one kilogramme of eggs in shell and for the pro-  
duction of one egg for hatching must also be taken  
into account; whereas for the products listed in  
Article 1 (1) (b) of Regulation No 122/67/EEC the  
coefficients referred to in Article 5 (2) of that Regu-  
lation should be taken into account;

Whereas, if price trends are to be noted, prices must  
be determined in accordance with general principles;  
whereas to this end prices on third country markets  
and in countries of destination, producer prices re-  
corded in third countries and free-at-Community-  
frontier prices should be taken into account when  
prices on the world market are being determined;  
whereas, in the absence of representative markets for  
egg products, prices ruling at the various marketing  
stages and on exportation should be used as a basis  
in determining Community prices;

Whereas provision must be made for varying the  
amount of the refund according to the destination of  
the products, since markets in the countries of desti-  
nation are at varying distances from Community  
markets and special conditions apply to imports in  
certain countries of destination;

Whereas to ensure Community exporters some stab-  
ility in the amount of the refund and certainty with  
regard to the list of products eligible for a refund, it  
should be possible for the list and the amounts to re-  
main valid for a relatively long period;

Whereas, to avoid distortions of competition between  
individual Community traders, the administrative  
conditions under which they operate must be identical  
throughout the Community; whereas there does  
not appear to be any justification for granting a re-  
fund where the products in question are imported  
from third countries and re-exported to third countries;  
whereas the reimbursement, under certain conditions,  
of the levy collected on importation is sufficient to  
allow these products to be placed on the world  
market again;

HAS ADOPTED THIS REGULATION:

*Article 1*

This Regulation lays down rules for fixing and grant-  
ing export refunds on the products listed in Article  
1 (1) of Regulation No 122/67/EEC.

*Article 2*

The following shall be taken into account when  
refunds are being fixed:

- (a) the existing situation and the future trend with  
regard to:
  - prices and availabilities of egg products on  
the Community market;
  - prices for egg products on the world market;

<sup>1</sup> OJ No 117, 19.6.1967, p. 2293/67.

- (b) the need to avoid disturbances which might lead to a prolonged imbalance between supply and demand on the Community market; and
- (c) the economic aspect of the proposed exports.

When the refund on the products listed in Article 1 (1) of Regulation No 122/67/EEC is being calculated, account shall also be taken of the difference between prices within the Community and prices on the world market for the quantity of feed grain determined in accordance with the provisions of Article 4 (1) of that Regulation, the coefficients referred to in Article 5 (2) of that Regulation also being taken into account in the case of derived products.

#### Article 3

1. The following shall be taken into account when the price on the Community market is being determined:

- (a) prices ruling at the various marketing stages in the Community;
- (b) prices ruling on exportation.

2. The following shall be taken into account when the price on the world market is being determined:

- (a) prices ruling on third country markets;
- (b) the most favourable import prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices.

#### Article 4

Where the world market situation or the specific requirements of certain markets make this necessary, the refund for the Community may be varied according to the destination of the products listed in Article 1 (1) of Regulation No 122/67/EEC.

#### Article 5

The list of products on which an export refund is

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

Done at Brussels, 27 June 1967.

granted and the amount of such refund shall be fixed at least once every three months.

#### Article 6

1. The refund shall be paid upon proof:

- that the products have been exported from the Community, and
- that the products are of Community origin, except where Article 7 applies.

2. Where Article 4 applies, the refund shall be paid under the conditions laid down in paragraph 1, provided it is proved that the product has reached the destination for which the refund was fixed.

Exceptions may be made to this rule in accordance with the procedure referred to in paragraph 3, provided conditions are laid down which offer equivalent guarantees.

3. Additional provisions may be adopted in accordance with the procedure laid down in Article 17 of Regulation No 122/67/EEC.

#### Article 7

No export refund shall be granted on products listed in Article 1 (1) of Regulation No 122/67/EEC which are imported from third countries and re-exported to third countries, unless the exporter proves:

- that the product to be exported and the product previously imported are one and the same, and
- that the levy was collected on importation.

In such cases the refund on each product shall be equal to the levy collected on importation where this levy is lower than the refund applicable on the day of exportation; the refund shall be equal to the refund, applicable on the day of exportation where the levy collected on importation is higher than this refund.

#### Article 8

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

It shall apply from 1 July 1967.

*For the Council*

*The President*

Ch. HEGER