

**REGULATION (EEC) No 1997/74 OF THE COUNCIL**  
**of 29 July 1974**  
**amending Regulation No 139/67/EEC on the fixing and granting of export**  
**refunds on cereals**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC<sup>(1)</sup> of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1996/74<sup>(2)</sup>, and in particular Article 16 (5) thereof ;

Having regard to the proposal from the Commission ;

Whereas Article 16 (4) of Regulation No 120/67/EEC provides for the possibility of applying wholly or in part the provisions governing the advance fixing of export refunds to processed products based on cereals ; whereas for certain flours, groats and meals this has been introduced in part by Article 4 (1) of Council Regulation No 139/67/EEC<sup>(3)</sup> of 21 June 1967 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ; whereas the possibility of adjusting the refund by the application of a corrective amount should also be introduced for these products ;

Whereas Article 8 of Regulation No 139/67/EEC provides for weekly fixing of the export refunds for the basic cereals ; whereas this frequency is not always necessary for good management of the market,

HAS ADOPTED THIS REGULATION :

*Article 1*

The text of Article 4 (1) of Regulation No 139/67/EEC shall be replaced by the following :

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

Done at Brussels, 29 July 1974.

'For the products listed in Article 1 (c) of Regulation No 120/67/EEC, the refund applicable on the day on which the application for export licence is lodged, adjusted on the basis of the threshold price in force during the month of exportation, shall be applied to exports to be effected during the validity of the export licence if the applicant so requests when applying for the licence (the request to be made not later than 13.00 hours).

A corrective amount may be fixed. It shall be applied to the refund where this is fixed in advance. The corrective amount shall be fixed at the same time as the refund according to the same procedure ; however, when necessary, the Commission, following a request from a Member State or on its own initiative, may modify the corrective amounts in the interval.'

*Article 2*

The text of Article 8 of Regulation No 139/67/EEC shall be replaced by the following :

'The refunds on the products listed in Article 1 (a), (b) and (c) of Regulation No 120/67/EEC shall be fixed at least once a month.'

*Article 3*

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

*For the Council*

*The President*

B. DESTREMAU

<sup>(1)</sup> OJ No 117, 19. 6. 1967, p. 2269/67.

<sup>(2)</sup> See page 1 of this Official Journal.

<sup>(3)</sup> OJ No 125, 26. 6. 1967, p. 2453/67.