

COMMISSION REGULATION (EEC) No 3438/83**of 5 December 1983****amending Annex II to Regulation (EEC) No 2729/81 in respect of the validity
period of export licences for certain cheeses exported to Australia**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1600/83 ⁽²⁾, and in particular
Articles 13 (3) and 17 (4) thereof,

Whereas Article 9 of Commission Regulation (EEC)
No 2729/81 of 14 September 1981 laying down
special rules implementing the system of import and
export licences and the advance fixing of refunds in
respect of milk and milk products ⁽³⁾ provides that
export licences issued with advance fixing of the
refund for exports of cheese to Australia are valid from
their day of issue within the meaning of Article 21 (1)
of Regulation (EEC) No 3183/80 ⁽⁴⁾ until the end of
the sixth month following the date of issue;

Whereas the Commission reached agreement with the
Government of Australia in October 1983 regarding
the observance of certain price levels for a number of
Community cheeses sold to the Australian market;
whereas the period of validity of export licences issued
with advance fixing of refunds for these cheeses
should be restricted to 60 days in order that move-
ments in these prices may be followed more closely;

Whereas the Management Committee for Milk and
Milk Products has not delivered an opinion within the
time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EEC) No 2729/81 is hereby
replaced by the following:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 56.

⁽³⁾ OJ No L 272, 26. 9. 1981, p. 19.

⁽⁴⁾ OJ No L 338, 13. 12. 1980, p. 1.

ANNEX II

Period of validity of export licences with advance fixing of the refund

Period of validity	CCT heading No	Description	Compulsory destination ⁽¹⁾
(a) 30 days	04.04	Cheese and curd	Zone E and Canada
(b) 60 days	ex 04.04 C 04.04 E I b) 1 ex 04.04 E I b) 2	Blue-veined cheese, excluding Roquefort Cheddar Other cheeses of a water content, calculated by weight, of the non-fatty matter exceeding 47 % but not exceeding 62 %, except for : — Kefalotiri, Kefalograviera and Kasseri made exclusively from sheep's and/or goats' milk — Asiago, Caciocavallo, Montasio, Provolone, Ragusano, Butterkäse, Esrom, Italice, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio, Ricotta, Feta — cheeses of a fat content by weight in dry matter of less than 19 % and a dry matter content of 32 % or more by weight — cheeses of a fat content by weight in dry matter of 19 % or more and less than 39 % and a water content, calculated by weight, in the non-fatty matter of 62 % or less	Australia
(c) Until the end of the sixth month following that of issue	Other products specified in Article 1 of Regulation (EEC) No 804/68		—

⁽¹⁾ See Article 11 (3). However, where Annex I excludes advance fixing of the refund for certain products and destinations, the issue of an export licence for such products shall make it obligatory to export to a destination other than that indicated in Annex I.

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, 5 December 1983.

For the Commission

Poul DALSAGER

Member of the Commission