

**Commission communication on adjustments to refunds fixed in advance for milk products
for export during the 1983/84 milk year**

1. The third subparagraph of Article 5 (3) of Council Regulation (EEC) No 876/68 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 ⁽¹⁾ makes provision for deciding that the refunds fixed in advance can be adjusted when intervention prices are altered.

Those concerned within the Community are hereby informed that the Commission, taking account of the present market situation, intends to make use of that provision from the outset of the 1983/84 milk year in order to permit them to make contracts on that basis for deliveries to be made after the beginning of that marketing year. The measures in question are to be adopted by Management Committee procedure.

2. The level of the adjustments will be determined on the basis of the alterations in the intervention prices and will apply to refunds fixed in advance up to and including the date on which the Council takes its decision on the intervention prices to apply during the 1983/84 milk year, for exports:

- (a) from the seventh day after the beginning of the new milk year in respect of each product for which satisfactory proof can be presented that the product to be exported has been produced during the 1983/84 milk year.

However, in the case of butteroil, processed cheeses and animal feedingstuffs, the adjustment will only be granted where it can be proved that the main basic dairy product(s) have been produced during the new campaign; in the case

of butteroil the basic product to be taken into account is butter; in the case of processed cheese the basic product to be taken into account is natural cheese; and in the case of animal feedingstuffs it is skimmed-milk powder. In the case of exports of cheese to the United States or Canada, there will be no entitlement to an adjustment of prefixed refunds;

- (b) from the seventh day following the beginning of the new milk year products under tariff heading 04.01 with the exception of 'long life milk or cream' but including cottage cheese and cream cheese within the subheading 04.04 E I c) of the Common Customs Tariff without presentation of proof of production date;
- (c) of other products where no proof has been presented:
 - from the 21st day following the beginning of the new milk year for whole milk powder,
 - from the 91st day after the beginning of the new milk year for all other products.

3. The level of the adjustments will be calculated in line with the alteration in the intervention prices.

4. For refunds fixed in advance for dairy products exported in the form of goods not covered by Annex II to the Treaty, the adjustments will be determined, in conformity with Article 5 (2) of Council Regulation (EEC) No 3035/80 ⁽²⁾, according to the same rules as those for the products mentioned under 2 (c) of this communication.

⁽¹⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽²⁾ OJ No L 323, 29. 11. 1980, p. 27.