

COMMISSION DECISION

of 15 January 1976

fixing the maximum export refund for common wheat under the invitation to tender issued in Regulation (EEC) No 3335/75

(76/130/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 3058/75⁽²⁾,Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 thereof,Having regard to Commission Regulation (EEC) No 3335/75 of 22 December 1975 on an invitation to tender for the levy and/or the refund for the export of common wheat to the countries of Zones VI and VII⁽⁴⁾, and in particular Article 10(1) thereof,Whereas an invitation to tender for the export levy and/or refund on common wheat was issued under Regulation (EEC) No 3335/75; whereas the notice of invitation to tender⁽⁵⁾ associated with this Regulation specified that the total tonnage for which the export levy and/or refund could be fixed was approximately 285 000 metric tons;

Whereas Article 10(1) of Regulation (EEC) No 3335/75 allows the Commission, in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, to fix a maximum export refund; whereas, when this maximum refund is being fixed, account must be taken of the criteria set out in Articles 2 and 3 of Regulation (EEC) No 2746/75; whereas Article 10(2) of Regulation (EEC) No

3335/75 stipulates that the award is made to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund and to any tenderer who has tendered for an export levy;

Whereas it follows from applying these rules to the present situation on the market for the cereal in question that the maximum export refund should be fixed as shown in Article 1; whereas the tonnage of common wheat to which this maximum applies is 5 000 metric tons;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for common wheat fixed on the basis of tenders submitted for 15 January 1976 is hereby fixed at 35.80 units of account per metric ton.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 January 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.⁽⁴⁾ OJ No L 329, 23. 12. 1975, p. 16.⁽⁵⁾ OJ No C 295, 23. 12. 1975, p. 4.