

**COMMISSION REGULATION (EEC) No 3561/82**  
**of 29 December 1982**  
**fixing the export refunds on oil seeds**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation No 136/66/EEC  
of 22 September 1966 on the establishment of a  
common organization of the market in oils and fats <sup>(1)</sup>,  
as last amended by Regulation (EEC) No 1413/82 <sup>(2)</sup>,

Having regard to Council Regulation No 142/67/EEC  
of 21 June 1967 on export refunds on colza, rape and  
sunflower seeds <sup>(3)</sup>, as last amended by Regulation  
(EEC) No 2429/72 <sup>(4)</sup>, and in particular the first  
sentence of Article 2 (3) thereof,

Having regard to the opinion of the Monetary  
Committee,

Whereas Article 28 of Regulation No 136/66/EEC  
provides that a refund may be granted on exports to  
third countries of oil seeds harvested within the  
Community; whereas the amount of this refund may  
not exceed the difference between prices within the  
Community and prices on the world market where the  
former are higher than the latter; whereas Article 21  
of Regulation No 136/66/EEC provides that, at  
present, Article 28 of that Regulation applies only to  
colza, rape and sunflower seeds;

Whereas Article 3 of Regulation No 142/67/EEC  
provides that when the refund is being calculated  
account must be taken of prices ruling on the various  
Community markets which are representative from the  
point of view of processing and exportation; the most  
favourable quotations recorded on the various markets  
of importing third countries and costs incurred in  
placing the goods on the world market; whereas,  
when the amount of the refund is being fixed, account  
must also be taken of the level of market prices within  
the Community for the oil seeds referred to in Article  
21 of Regulation No 136/66/EEC and the future trend  
of these prices; whereas, furthermore, account should  
be taken of the economic aspect of the proposed

exports and the situation in the Community regarding  
the supply of and demand for these seeds;

Whereas Article 1 of Commission Regulation (EEC)  
No 651/71 of 29 March 1971 on certain detailed rules  
for the application of export refunds on oil seeds <sup>(5)</sup>, as  
amended by Regulation (EEC) No 1480/79 <sup>(6)</sup>, provides  
that the amount of the refund must be calculated on  
the basis of the weight of exported seeds; whereas this  
weight must be adjusted to take account of any differ-  
ences between the percentages of moisture and impur-  
ities found to exist and those used to define the stan-  
dard quality for which the target price is fixed;  
whereas, when this adjustment is being made, the  
weight of the exported seeds must be increased by the  
amount of the difference between the actual moisture  
and impurities content and that used to define the  
standard quality if the former is lower than the latter;  
whereas, if the opposite applies, the weight of the  
exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was  
defined in Article 2 of Council Regulation (EEC) No  
1418/82 of 18 May 1982 fixing the target prices and  
intervention prices for colza and rape seed and  
sunflower seed for the 1982/83 marketing year <sup>(7)</sup>;

Whereas Article 2 of Regulation No 142/67/EEC  
provides that the refund may be varied according to  
destination where the world market situation or the  
specific requirements of certain markets make this  
necessary;

Whereas, if the refund system is to operate normally,  
refunds should be calculated on the following basis:

- in the case of currencies which are maintained in  
relation to each other at any given moment within  
a band of 2.25 %, a rate of exchange based on  
their central rate,
- for other currencies, an exchange rate based on the  
arithmetic mean of the spot market rates of each of  
these currencies recorded for a given period in  
relation to the Community currencies referred to  
in the previous indent;

<sup>(1)</sup> OJ No 172, 30. 9. 1966, p. 3025/66.

<sup>(2)</sup> OJ No L 162, 12. 6. 1982, p. 6.

<sup>(3)</sup> OJ No 125, 26. 6. 1967, p. 2461/67.

<sup>(4)</sup> OJ No L 264, 23. 11. 1972, p. 1.

<sup>(5)</sup> OJ No L 75, 30. 3. 1971, p. 16.

<sup>(6)</sup> OJ No L 180, 17. 7. 1979, p. 13.

<sup>(7)</sup> OJ No L 162, 12. 6. 1982, p. 14.

Whereas it follows from applying these detailed rules to the present situation on the market in oil seeds, and in particular to quotations or prices for these products within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto for those products for which the marketing year has already begun ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION :

*Article 1*

The refund on the products referred to in Article 21 of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 29 December 1982.

*For the Commission*

Poul DALSAGER

*Member of the Commission*

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*ANNEX*

to the Commission Regulation of 29 December 1982 fixing the export refunds on oil seeds

| (ECU/100 kg)   |                                            |        |
|----------------|--------------------------------------------|--------|
| CCT heading No | Description                                | Refund |
| ex 12.01       | Colza and rape seed, other than for sowing | 22.50  |
| ex 12.01       | Sunflower seed, other than for sowing      | —      |