# Commission Regulation (EC) No 332/2005 of 25 February 2005 on the payment of the refund on exports to Croatia of products falling under CN code 0406 covered by licences applied for before 1 June 2003

## COMMISSION REGULATION (EC) No 332/2005

## of 25 February 2005

## on the payment of the refund on exports to Croatia of products falling under CN code 0406 covered by licences applied for before 1 June 2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products[(1)], and in particular Article 26(3) and Article 31(14) thereof,

Whereas:

(1) To prevent deflection of trade, Article 2 of Commission Regulation (EC) No 951/2003 of 28 May 2003 derogating from Regulation (EC) No 174/1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products and Regulation (EC) No 800/1999 laying down common detailed rules for the application of the system of export refunds on agricultural products[(2)] prevented the payment of refunds on export licences for products falling in CN code 0406 and showing in box 7 a different destination than Croatia when used for exports to Croatia as from 1 June 2003.

(2) Entitlement to the refund arising from export licences applied for before the date of application of a regulation should not be affected.

(3) The limitation introduced by Article 2 of Regulation (EC) No 951/2003 should therefore only apply to licences applied for from 1 June 2003.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

The refund on exports to Croatia of products falling in CN code 0406 covered by licences applied for before 1 June 2003 and showing in box 7 a destination other than Croatia falling under destination zone I, as then defined in Article 15(3) of Commission Regulation (EC) No 174/1999[(3)], shall be paid.

*Article 2*

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

It shall apply from 1 June 2003.

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

Done at Brussels, 25 February 2005.

*For the Commission*

Mariann FISCHER BOEL

*Member of the Commission*