THE COURT

in answer to the question referred to it by the College van Beroep voor het Bedrijfsleven, The Hague, by order of that court of 9 October 1970, hereby rules:

The expression 'levy fixed in advance' in Article 8(3)(b) of Regulation No 473/67/EEC of the Commission of 21 August 1967 refers to the rate of levy fixed for the month of importation indicated by the holder of the import licence in his application.

Lecourt Donner Trabucchi

Monaco Mertens de Wilmars Pescatore Kutscher

Delivered in open court in Luxembourg on 10 March 1971

A. Van Houtte
Registrar

R. Lecourt
President

OPINION OF MR ADVOCATE-GENERAL DUTHEILLET DE LAMOTHE

(See Case 38/70, p. 156)