REGULATION (EEC) No 1517/74 OF THE COMMISSION

of 18 June 1974

amending Regulation (EEC) No 712/74 laying down the detailed rules of application of the corrective amount for skimmed-milk powder during the 1974/75 milk year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68 (1) of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 662/74 (2);

Having regard to Council Regulation (EEC) No 663/74 (3) of 28 March 1974 fixing the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheese for the 1974/75 milk year, and in particular Article 3 (3) thereof;

Whereas during the 1974/75 milk year the levies charged on imports of skimmed-milk powder into Belgium, Germany, Luxembourg and the Netherlands and the amounts granted on exports from those Member States within the framework of the common agricultural policy are to be reduced by a corrective amount of 2 units of account per 100 kg;

Whereas Regulation (EEC) No 712/74 (4) provides that the monetary compensatory amounts fixed pursuant to Council Regulation (EEC) No 974/71 (5) of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States, as last amended by Regulation (EEC) No 3450/73 (6), shall be reduced by the corrective amount;

Whereas this reduction, in so far as it relates to exports, is hindering the production of skimmed-milk powder from skimmed milk and concentrated skimmed milk imported from certain Member States; whereas the prices of skimmed milk and concentrated skimmed milk imported into Belgium, Germany, Luxembourg and the Netherlands from other Member States do not warrant the application of corrective amounts when they are being re-exported as skimmed-milk powder; whereas this reduction should therefore be abolished in the aforementioned cases;

Whereas, in order that this measure may be limited to the cases in question, it has proved necessary to have recourse to certain supervisory measures laid down by the Council Directive of 4 March 1969 (7) on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing (69/73/EEC) as last amended by the Act (8) annexed to the Treaty (9) concerning the accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972;

Whereas 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 following Article is added to Regulation (EEC) No 712/74:

'*Article 2a*

1. The reduction referred to in the first paragraph of Article 2 shall not be applied to exports from Belgium, Germany, Luxembourg and the Netherlands to other Member States or to third countries of the products referred to in Article 1 processed from skimmed milk or concentrated skimmed milk imported from a Member State other than those mentioned above.

2. Paragraph 1 shall apply:

(a) upon application by the interested parties, at the time when the skimmed milk or concentrated skimmed milk is imported, to the competent authorities of the Member State in which the processing is to take place, and

(b) on conditions to be determined by the competent authorities of the Member State concerned in accordance with provisions regarding supervision of Council Directive No 69/73/EEC, and

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 85, 29. 3. 1974, p. 51.
(3) OJ No L 85, 29. 3. 1974, p. 52.
(4) OJ No L 88, 1. 4. 1974, p. 14.
(5) OJ No L 106, 12. 5. 1971, p. 1.
(6) OJ No L 353, 22. 12. 1973, p. 25.
(7) OJ No L 58, 8. 3. 1969, p. 1.
(8) OJ No L 73, 27. 3. 1972, p. 14.
(9) OJ No L 73, 27. 3. 1972, p. 5.

(c) with reference to the following rates of yield :

100 kg of skimmed-milk powder processed from :

— either 1 100 kg of skimmed milk,

— or 390 kg of concentrated skimmed milk of a dry lactic matter, content, by weight, not exceeding 30 %.'

Article 2

This Regulation shall enter into force on 1 July 1974.

However, Article 2a (1) of Regulation (EEC) No 712/74 shall, at the request of the interested parties, apply to exports effected on or after 1 April 1974 provided that it can be proved to the competent authorities that such exports would have been entitled to the benefit of that Article.

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

Done at Brussels, 18 June 1974.

For the Commission

The President

François-Xavier ORTOLI