REGULATION (EEC) No 323/75 OF THE COMMISSION

of 10 February 1975

on the adjustment of private storage aid for butter held under a storage contract at the end of 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), and in particular Articles 5a and 6 (7) thereof;

Whereas Article 29 of Commission Regulation (EEC) No 685/69 (3) of 14 April 1969 on detailed rules of application for intervention on the market in butter and cream, as last amended by Regulation (EEC) No 2517/74 (4), provides for private storage aid to be adjusted if the buying-in price for butter is changed;

Whereas the Council has agreed to adopt simultaneously with the intervention prices for the 1975/76 milk year, a measure providing, in respect of purchases by intervention agencies during a certain period prior to the end of the present marketing year, for the payment by the agencies in addition to the current buying-in price, of an amount equal to the difference between that buying-in price and the price to be fixed for the 1975/76 milk year;

Whereas, in order to prevent any disturbance of the butter market to which the above measure might give rise, such additional amount should for the purposes of Article 29 of Regulation (EEC) No 685/69 be assimilated to an increase in the buying-in price for butter within the meaning of that Article;

Whereas, however, provision should be made to ensure that the decrease in the aid will not affect the amount payable in respect of storage prior to the entry into force of this Regulation;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. If provision is made for the payment in respect of butter bought in by intervention agencies before the end of the 1974/75 milk year of an amount in addition to the buying-in price for that milk year, such additional amount shall be regarded as an increase in the buying-in price within the meaning of Article 29 of Regulation (EEC) No 685/69.

2. However, the provisions of paragraph 1 shall not affect the amount of the aid payable in respect of storage prior to the entry into force of this Regulation.

Article 2

In respect of butter held under a storage contract at the time when this Regulation enters into force, the amount of the aid in respect of storage after this date shall not be paid until the beginning of the 1975/76 milk year.

Article 3

This Regulation shall enter into force on 11 February 1975.

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

Done at Brussels, 10 February 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 85, 29. 3. 1974, p. 51.
(3) OJ No L 90, 15. 4. 1969, p. 12.
(4) OJ No L 269, 4. 10. 1974, p. 24.