COMMISSION REGULATION (EEC) No 1188/76

of 20 May 1976

amending Regulations (EEC) No 136/76, (EEC) No 336/76, (EEC) No 572/76 and (EEC) No 638/76 concerning the monetary compensatory amounts for compound feedingstuffs containing skimmed-milk powder

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 of 27 June 1968 on the common organization of the market in milk and milk products [1], as last amended by Regulation (EEC) No 559/76 [2], and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 974/71 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 [3], as last amended by Regulation (EEC) No 557/76 [4], and in particular Article 6 thereof,

Whereas Commission Regulation (EEC) No 136/76 of 22 January 1976 [5], as last amended by Regulation (EEC) No 1135/76 [6], fixed the minimum selling price for skimmed-milk powder for the invitation to tender opened by Regulation (EEC) No 3354/75; whereas Commission Regulation (EEC) No 336/76 of 17 February 1976 [7], as last amended by Regulation (EEC) No 1135/76, fixed the minimum selling price for skimmed-milk powder for the invitation to tender opened by Regulation (EEC) No 135/76; whereas Commission Regulation (EEC) No 638/76 of 23 March 1976 [8], as last amended by Regulation (EEC) No 1135/76, fixed the minimum selling price for skimmed-milk powder for the invitation to tender opened by Regulation (EEC) No 357/76;

Whereas in the Annexes to the abovementioned Regulations, the special monetary compensatory amounts applicable to compound feedingstuffs produced from skimmed-milk powder, subject to the said Regulations, are fixed so that they take into account the difference between the minimum selling price and the market price of skimmed-milk powder;

Whereas Article 9 (2) of Commission Regulation (EEC) No 753/76 of 31 March 1976 laying down detailed rules for the sale of skimmed-milk powder for use in animal feed pursuant to Regulation (EEC) No 563/76 [9], as amended by Regulation (EEC) No 1131/76 [10], provides that no monetary compensatory amount shall be applied to skimmed-milk powder denatured in accordance with Article 1 (2) of the said Regulation;

Whereas, to avoid difficulties which may arise from the different application of monetary compensatory amounts in the above two cases, the first case should be equated in this respect to the second; whereas, Regulations (EEC) No 136/76, (EEC) No 336/76 and (EEC) No 638/76 should be supplemented accordingly;

Whereas a further difficulty in applying monetary compensatory amounts may arise from the possible incorporation into compound feedingstuffs, which contain skimmed-milk powder other than that sold pursuant to Regulation (EEC) No 753/76, of the same additives as those set out as denaturing agents in Annex I to that Regulation; whereas to avoid these difficulties, when applying the monetary compensatory amounts, any compound feedingstuff containing both skimmed-milk powder and those additives or denaturing agents, should be considered as containing skimmed-milk powder sold and denatured pursuant to Regulation (EEC) No 753/76; whereas Commission Regulation (EEC) No 572/76 of 15 March 1976 fixing the monetary compensatory amounts and certain rates for their application [11], as last amended by Regulation (EEC) No 1134/76 [12], should be supplemented accordingly;

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

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[1] OJ No L 148, 28. 6. 1968, p. 13.
[2] OJ No L 67, 15. 3. 1976, p. 9.
[3] OJ No L 106, 12. 5. 1971, p. 1.
[4] OJ No L 67, 15. 3. 1976, p. 1.
[5] OJ No L 14, 23. 1. 1976, p. 20.
[6] OJ No L 128, 17. 5. 1976, p. 26.
[7] OJ No L 42, 18. 2. 1976, p. 9.
[8] OJ No L 77, 24. 3. 1976, p. 7.
[9] OJ No L 88, 1. 4. 1976, p. 1.
[10] OJ No L 127, 15. 5. 1976, p. 42.
[11] OJ No L 68, 15. 3. 1976, p. 5.
[12] OJ No L 128, 17. 5. 1976, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

There is hereby added to Article 2 of Regulations (EEC) No 136/76, (EEC) No 336/76 and (EEC) No 638/76 in each case the following paragraph 3 :

'3. From 1 June 1976, no monetary compensatory amount shall be applied to the compound feedingstuffs referred to in paragraph 1.'

Article 2

Footnote (9) of Part 5 of Annex I to Regulation (EEC) No 572/76 is hereby amended to read as follows :

'(9) In exchanges with third countries, this amount is multiplied by the coefficient 1·7285.

With effect from 1 June 1976, where these products contain skimmed-milk powder and either :

(a) fish meal or fish oil and/or liver oil,

(b) active carbon and/or a mixture of Tartazine Yellow (E102) and Patent Blue (E131) or Cochienal Red A (E124) or Patent Blue V (E131),

(c) iron carbonate and/or iron sulphate and/or copper sulphate,

(d) ground cereals and/or oil-seed cake,

no monetary compensatory amount shall be applied.'

Article 3

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

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

Done at Brussels, 20 May 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission