COMMISSION REGULATION (EEC) No 3004/76

of 10 December 1976

altering the monetary compensatory amounts for milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 (1), as last amended by Regulation (EEC) No 557/76 (2), and in particular Article 6 thereof,

Whereas Commission Regulation (EEC) No 1624/76 of 2 July 1976 concerning special arrangements for the payment of aid for skimmed-milk powder denatured or processed into compound feedingstuffs in the territory of another Member State (3), as amended by Regulation (EEC) No 2065/76 (4), which applies to consignments to Italy, provides in Article 9 that with respect to skimmed-milk powder exported to the Member State of destination a coefficient of 0·58 is to be applied to the monetary compensatory amounts fixed pursuant to Regulation (EEC) No 974/71; whereas under Article 1 of Regulation (EEC) No 1624/76, the skimmed-milk powder may be consigned as such or after incorporation in another product;

Whereas, consequently, certain premixes of skimmed-milk powder and non-milk fats could be consigned to another Member State under subheading ex 23.07 B of the Common Customs Tariff; whereas the coefficient 0·58 therefore was given in Note (9) to Part 5 of Annex I to Commission Regulation (EEC) No 572/76 of 15 March 1976 fixing the monetary compensatory amounts and certain rates for their application (5), as last amended by Regulation (EEC) No 2956/76 (6);

Whereas, however, monetary compensatory amounts for the products falling within the said subheading are fixed on the basis that the aid for processing the skimmed-milk powder into compound feedingstuffs is paid in the Member State which is the consignor of the end product; whereas the coefficient 0·58 should therefore not be applied to the monetary compensatory amounts for products falling within subheading ex 23.07 B consigned under the arrangements laid down in Regulation (EEC) No 1624/76; whereas moreover, when pre-mixes for which the aid has not been paid in the consignor Member State are consigned to another Member State, the monetary compensatory amount must be calculated on the basis of the intervention price for skimmed-milk powder, with no deduction of the aid;

Whereas the monetary compensatory amounts fixed for whey are derived from those applicable to skimmed-milk powder, on the basis of the relationship between the intervention price for skimmed-milk powder and the market price for whey powder; whereas the fall in the market price of this product requires an alteration of the monetary compensatory amounts;

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 monetary compensatory amounts in Part 5 of Annex I to Regulation (EEC) No 572/76, for whey falling within subheadings 04.01 A and 04.02 A I are hereby replaced by the amounts in the Annex hereto.

Article 2

1. The third subparagraph of Note (9) to Part 5 (Milk and Milk Products) of Annex I to Regulation (EEC) No 572/76 is hereby amended to read as follows:

'In intra-Community trade, where the product has not been produced in accordance with Regulation (EEC) No 990/72, the coefficient 1·7120 is applied to this amount. However this coefficient is not applied to the products consigned to Italy from another Member State in accordance with Regulation (EEC) No 1624/76 (OJ No L 180, 6. 7. 1976).'

(1) OJ No L 106, 12. 5. 1971, p. 1.
(2) OJ No L 67, 15. 3. 1976, p. 1.
(3) OJ No L 180, 6. 7. 1976, p. 9.
(4) OJ No L 230, 21. 8. 1976, p. 5.
(5) OJ No L 68, 15. 3. 1976, p. 5.
(6) OJ No L 337, 6. 12. 1976, p. 1.

2. At the request of those concerned, the coefficient 0·58 appearing, until the entry into force of this Regulation, in Note 9 referred to in paragraph 1, shall not be applied with effect from 4 October 1976 in respect of products falling within subheading ex 23.07 B of the Common Customs Tariff consigned to Italy under Regulation (EEC) No 1624/76.

Article 3

This Regulation shall enter into force on 13 December 1976.

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

Done at Brussels, 10 December 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

PART 5

MILK AND MILK PRODUCTS

Monetary compensatory amounts

CCT heading No	Description of goods	Amounts to be charged on imports and granted on exports					
		Deutschland DM/100 kg		Belgique et Luxembourg FB/Flux/100 kg		Nederland Fl./100 kg	
		(a)	(b)	(a)	(b)	(a)	(b)
1	2	3		4		5	
04.01 A	— whey	0·17	—	0·4	—	0·03	—
04.02 A I	of a water content, calculated by weight:						
	— not exceeding 33 %	5·83	—	12·5	—	0·86	—
	— exceeding 33 % but not exceeding 65 %	3·89	—	8·3	—	0·57	—
	— exceeding 65 %	1·94	—	4·2	—	0·29	—

CCT heading No	Description of goods	Amounts to be granted on imports and charged on exports							
		United Kingdom £/100 kg		Ireland £/100 kg		Italia Lit./100 kg		France FF/100 kg	
		(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)
1	2	6		7		8		9	
04.01 A	— whey	0·116	—	0·080	—	92	—	0·49	—
04.02 A I	of a water content, calculated by weight:								
	— not exceeding 33 %	3·946	—	2·698	—	3 120	—	16·63	—
	— exceeding 33 % but not exceeding 65 %	2·631	—	1·799	—	2 080	—	11·09	—
	— exceeding 65 %	1·315	—	0·899	—	1 040	—	5·54	—

(a) Basic amount per 100 kg net (unless otherwise indicated).
(b) Supplementary amount per 100 kg net for each % of fat content.