COMMISSION REGULATION (EEC) No 210/77

of 31 January 1977

amending Regulation (EEC) No 2054/76 on the sale for export to third countries of skimmed-milk powder held by intervention agencies and intended for use as feed

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 products (1), as last amended by Regulation (EEC) No 559/76 (2), and in particular Articles 7 (5), 13 (3) and 17 (4) thereof,

Whereas Commission Regulation (EEC) No 2054/76 of 19 August 1976 on the sale for export to third countries of skimmed-milk powder held by intervention agencies and intended for use as feed (3), as last amended by Regulation (EEC) No 2808/76 (4), provides for the sale of skimmed-milk powder held in public store, at a price equal to the buying-in price paid by the intervention agency less 11 units of account per 100 kilograms, and prescribes that the buyer must take over the total quantity of skimmed-milk powder before 1 February 1977 ;

Whereas the abovementioned sale price must be increased to take account of the present situation of the world market ; whereas, in order that any price changes in international trade may be borne in mind, provision should be made for skimmed-milk powder bought at the new price to be taken over before 1 March 1977 ;

Whereas Article 3 (3) of Regulation (EEC) No 2054/76 provides that the refund must be fixed in advance at the time of the conclusion of the sale contract for the skimmed-milk powder concerned ; whereas the period of validity of export certificates for this product is fixed by Commission Regulation (EEC) No 2044/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and the advance fixing of refunds in respect of milk and milk products (5), as last amended by Regulation (EEC) No 2053/76 (6) ; whereas in accordance with Article 4 (2) thereof, the period of validity of the export certificate for skimmed-milk powder laid down in Annex II (b) shall run until the end of the ninth month following the month of issue ; whereas, furthermore, exports referred to in Regulation (EEC) No 2054/76 are covered by undertakings given by the Community within the framework of GATT and can only, in this respect, be made until 10 November 1977 ; whereas the validity of export certificates issued pursuant to Regulation (EEC) No 2054/76 should therefore be limited to that date ;

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

Regulation (EEC) No 2054/76 is hereby amended as follows :

1. In Article 3 (1), for '11 units of account per 100 kilograms' read 'nine units of account per 100 kilograms'.

2. In Article 3 (3) add the following :

   'By way of derogation from the first subparagraph of Article 4 (2) of Regulation (EEC) No 2044/75, the period of validity of the export certificate referred to in the said Article shall be limited to 10 November 1977.'

3. In the first subparagraph of Article 4 (2), for '1 February 1977' read '1 March 1977'.

Article 2

This Regulation shall enter into force on 1 February 1977.

It shall not affect the quantities of skimmed-milk powder for which purchase contracts have been concluded with the intervention agency before that date.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 67, 15. 3. 1976, p. 9.
(3) OJ No L 228, 20. 8. 1976, p. 17.
(4) OJ No L 323, 22. 11. 1976, p. 27.
(5) OJ No L 213, 11. 8. 1975, p. 15.
(6) OJ No L 228, 20. 8. 1976, p. 15.

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

Done at Brussels, 31 January 1977.

For the Commission

Finn GUNDELACH

Vice-President