COMMISSION REGULATION (EEC) No 2534/77

of 17 November 1977

temporarily derogating from Regulation (EEC) No 2213/76 on the sale of skimmed-milk powder from public storage

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,

Whereas Commission Regulation (EEC) No 2213/76 of 10 September 1976 on the sale of skimmed-milk powder from public storage (3), as amended by Regulation (EEC) No 920/77 (4) fixed the selling price of the skimmed-milk powder concerned at a price equal to the purchasing price applied by the intervention agencies plus an amount of two units of account per 100 kilograms, in order to promote the disposal of that product;

Whereas at present on the skimmed-milk powder market demand is relatively high, mainly for animal feed; whereas, in view of the fact that the powder is to be used for this purpose, provision should be made, during the period in which production of fresh powder is more limited, for a reduction in price, in so far as is compatible with the costs of private storage, for an increase in the age of the product;

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

As regards contracts of sale concluded pursuant to Regulation (EEC) No 2213/76 during the period 15 November to 10 December 1977, the following special provisions shall apply:

1. by way of derogation from Article 1 of Regulation (EEC) No 2213/76, the skimmed-milk powder shall have been held in storage for not less than 12 months;

2. by way of derogation from Article 2 (1) (a) of the said Regulation, the selling price ex storage depot shall be equal to the purchasing price applied by the intervention agencies at the time of the conclusion of the contract of sale, plus one unit of account per 100 kilograms;

3. by way of derogation from Article 3 (1) of the said Regulation, the purchaser shall take delivery, not later than 20 December 1977, of the skimmed-milk powder purchased by him.

Article 2

This Regulation shall enter into force on the day of 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, 17 November 1977.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 67, 15. 3. 1976, p. 9.
(3) OJ No L 249, 11. 9. 1976, p. 6.
(4) OJ No L 108, 30. 4. 1977, p. 75.