COMMISSION REGULATION (EEC) No 270/78

of 9 February 1978

amending Regulation (EEC) No 990/72 on detailed rules for granting aid for skimmed milk processed into compound feedingstuffs and for skimmed-milk powder 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 and milk products (1), as last amended by Regulation (EEC) No 2560/77 (2), and in particular Article 10 (3) thereof,

Whereas Commission Regulation (EEC) No 990/72 of 15 May 1972 on detailed rules for granting aid for skimmed milk processed into compound feedingstuffs and for skimmed-milk powder for use as feed (3), as last amended by Regulation (EEC) No 1234/77 (4), lays down that aid may be granted to skimmed-milk powder, either after it has been denatured under certain conditions, or after incorporation in compound feedingstuffs; whereas in this latter case the granting of the aid is subject to a minimum skimmed-milk powder content, fixed at 60 % in Article 4 (1); whereas, moreover, to ensure that this provision is effective, the quantities of denatured skimmed-milk powder which may benefit from the aid have been limited, in Article 1 (4), in accordance with disposal possibilities, determined on the basis of requirements recorded during a prior reference period;

Whereas, in view of the objective of Commission Regulation (EEC) No 2054/76 of 19 August 1976 on the sale for export to non-member countries of skimmed-milk powder held by intervention agencies and intended for use as feed (5), as last amended by Regulation (EEC) No 2380/77 (6), namely the promotion of the disposal of additional quantities of skimmed-milk powder by sale for export, the last subparagraph of Article 4 (1) of Regulation (EEC) No 990/72 provides that the requirement of a 60 % minimum skimmed-milk powder content does not apply to compound feedingstuffs manufactured pursuant to Regulation (EEC) No 2054/76; whereas it is consequently necessary to provide also that skimmed-milk powder denatured pursuant to Article 2 (1) (a) of Regulation (EEC) No 2054/76 is not to be taken into account when determining the quantities referred to in Article 1 (4) of Regulation (EEC) No 990/72;

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

A paragraph 5 as follows is added to Article 1 of Regulation (EEC) No 990/72:

'5. For the purposes of determining the maximum quantities of denatured skimmed-milk powder eligible for aid, as referred to in paragraph 4, the quantities denatured pursuant to Article 2 (1) (a) of Regulation (EEC) No 2054/76 shall not be taken into account.'

Article 2

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, 9 February 1978.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 303, 28. 11. 1977, p. 1.
(3) OJ No L 115, 17. 5. 1972, p. 1.
(4) OJ No L 143, 10. 6. 1977, p. 9.
(5) OJ No L 228, 20. 8. 1976, p. 17.
(6) OJ No L 277, 29. 10. 1977, p. 39.