COMMISSION REGULATION (EEC) No 2896/78

of 8 December 1978

amending Annex I to Regulation (EEC) No 1036/78 as regards the monetary compensatory amounts

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 the monetary compensatory amounts provided for by Regulation (EEC) No 974/71 were fixed by Commission Regulation (EEC) No 1036/78 (3), as last amended by Regulation (EEC) No 2827/78 (4);

Whereas 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 2823/78 (6), provides for the export of skimmed-milk powder after denaturing by the addition of bloodmeal or fishmeal; whereas the product thus denatured was classed within subheading 23.07 B II of the Common Customs Tariff by certain Member States; whereas in order to deal with that situation Regulation (EEC) No 1036/78 was temporarily amended by Regulation (EEC) No 2467/78 (7), which provided, in the case of products falling within the said subheading, for the application of a coefficient to the monetary compensatory amounts applicable for the sale of skimmed-milk powder under Regulation (EEC) No 2054/76;

Whereas, following receipt of the opinion of the Committee on Common Customs Tariff Nomenclature, it has been made clear that skimmed-milk powder denatured in accordance with Annex III to Regulation (EEC) No 2054/76 must be classified under subheading 04.02 A II b) 1 of the Common Customs Tariff; whereas the provisions introduced by Regulation (EEC) No 2467/78 now serve no purpose and Regulation (EEC) 1036/78 should consequently be amended;

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

In Annex I to Regulation (EEC) No 1036/78, dealing with exports to Spain, the fourth sentence of Note 7 to Part 5 is hereby deleted.

Article 2

This Regulation shall enter into force on 11 December 1978.

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

Done at Brussels, 8 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 106, 12. 5. 1971, p. 1.
(2) OJ No L 67, 15. 3. 1976, p. 1.
(3) OJ No L 133, 22. 5. 1978, p. 1.
(4) OJ No L 338, 4. 12. 1978, p. 1.
(5) OJ No L 228, 20. 8. 1976, p. 17.
(6) OJ No L 334, 1. 12. 1978, p. 84.
(7) OJ No L 296, 21. 10. 1978, p. 46.