COMMISSION REGULATION (EEC) No 2349/79

of 24 October 1979

amending Regulation (EEC) No 1726/79 as regards in particular skimmed-milk powder denatured or processed into compound feedingstuffs pursuant to Regulation (EEC) No 1624/76 on the territory of another Member State

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 1761/78 (2), and in particular Article 10 (3) thereof,

Whereas, following the adoption of Commission Regulation (EEC) No 1725/79 of 26 July 1979 on the rules for granting aid to skimmed milk processed into compound feedingstuffs and skimmed-milk powder intended for feed for calves (3), Commission Regulation (EEC) No 1726/79 (4) adapts certain provisions *inter alia* of 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 (5); whereas, under Article 5 of Regulation (EEC) No 1726/79, the said amendments to Regulation (EEC) No 1624/76 apply to products in respect of which customs export formalities are completed as from 1 January 1980, the date on which Regulation (EEC) No 1725/79 will replace Commission Regulation (EEC) No 990/72 (6), as last amended by Regulation (EEC) No 270/78 (7);

Whereas the new provisions of Article 2 (5) of Regulation (EEC) No 1624/76 should apply to all skimmed-milk powder denatured or processed into compound feedingstuffs in the recipient Member State on or after 1 January 1980, with the exception of the provisions relating to the raw material employed; whereas Regulation (EEC) No 1726/79 should therefore be amended;

Whereas a material error should at the same time be corrected in the German version of Regulation (EEC) No 1726/79;

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 1726/79 is hereby amended as follows:

1. The first indent of the second paragraph of Article 5 shall be replaced by the following:

'— the amendments to Regulation (EEC) No 1624/76:

(a) the new version of Article 2 (1) and (4) of the said Regulation shall apply to skimmed-milk powder in respect of which customs export formalities are completed on or after 1 January 1980;

(b) the new version of Article 2 (5) of the said Regulation shall apply to skimmed-milk powder denatured or processed into compound feedingstuffs in the recipient Member State on or after 1 January 1980; however, as regards the provisions relating to inspection of skimmed-milk powder either unprocessed or incorporated in a mixture, the provisions in force on 31 December 1979 shall continue to apply where products are involved in respect of which customs export formalities have been completed before 1 January 1980;'.

2. In the German version of Article 2 (1), the wording of the fifth indent shall be replaced by the following wording:

'— bei Erzeugnissen, die nach den Formeln in Abschnitt 1 des Anhangs unter Verwendung von Kupfer denaturiert wurden, entweder den tatsächlichen Kupfergehalt oder die Höchstmenge des betreffenden Erzeugnisses, die mit anderen Bestandteilen vermischt werden darf, einmal zur Bereitung von Schweinefutter und zum anderen zur Bereitung von Geflügelfutter.'

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 204, 28. 7. 1978, p. 6.
(3) OJ No L 199, 7. 8. 1979, p. 1.
(4) OJ No L 199, 7. 8. 1979, p. 10.
(5) OJ No L 180, 6. 7. 1976, p. 9.
(6) OJ No L 115, 17. 5. 1972, p. 1.
(7) OJ No L 40, 10. 2. 1978, p. 8.

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

Done at Brussels, 24 October 1979.

For the Commission

Finn GUNDELACH

Vice-President