COMMISSION REGULATION (EEC) No 356/80

of 14 February 1980

derogating from certain provisions of Regulation (EEC) No 1725/79 as regards checking as to the presence of certain products in the skimmed-milk powder used

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 Commission Regulation (EEC) No 1725/79 (3), as amended by Regulation (EEC) No 355/80 (4), specifies certain products whose presence in skimmed-milk powder in an unprocessed form or incorporated in a mixture precludes the granting of aid, in order to excluded from eligibility for the aid skimmed-milk powder which has been the subject of a price reduction or aid pursuant to the following measures :

— Commission Regulation (EEC) No 368/77 of 23 February 1977 on the sale by tender of skimmed-milk powder for use as feed for pigs and poultry (5), as last amended by Regulation (EEC) No 419/79 (6),

— Commission Regulation (EEC) No 443/77 of 2 March 1977 on the sale at a fixed price of skimmed-milk powder for use in feed for pigs and poultry and amending Regulations (EEC) No 1687/76 and (EEC) No 368/77 (7), as last amended by Regulation (EEC) No 419/79,

— Commission Regulation (EEC) No 1844/77 of 10 August 1977 on the granting by tender of special aid for skimmed-milk powder intended as feed for animals other than young calves (8), as last amended by Regulation (EEC) No 1055/78 (9) ;

Whereas application of those Regulations has been suspended since October 1979 ; whereas it therefore appears possible, during the period of the subsequent suspension of the said Regulations, to dispense with the check as to the presence of the products in question in skimmed-milk powder which has been either denatured or processed into compound feedingstuffs as from 1 March 1980 pursuant to Regulation (EEC) No 1725/79 ; whereas this measure is also intended to facilitate the practical implementation of Regulation (EEC) No 1725/79 on the date fixed ;

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

1. As from 1 March 1980 and until the date which will be fixed at the time of the resumption of application of Regulations (EEC) No 368/77, (EEC) No 443/77 and/or (EEC) No 1844/77 or similar measures, the following provisions of Regulation (EEC) No 1725/79 shall not be applied :

(a) Article 4 (1) (d) ;

(b) the last subparagraph of Article 10 (2) (a), as regards crushed cereals, crushed oilcake, fishmeal, and undeodorized fish oil.

2. During the period referred to in paragraph 1, the following spaces in the reports appearing in the Annexes to Regulation (EEC) No 1725/79 shall not be completed :

(a) in the analysis report appearing in Annex I :

the spaces relating to points A 2 (b), (d), (e) and (f) ;

(b) in the inspection report appearing in Annex II :

the space relating to point B 1 :

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) See page 19 of this Official Journal.
(5) OJ No L 52, 24. 2. 1977, p. 19.
(6) OJ No L 50, 1. 3. 1979, p. 46.
(7) OJ No L 58, 3. 3. 1977, p. 16.
(8) OJ No L 205, 11. 8. 1977, p. 11.
(9) OJ No L 134, 22. 5. 1978, p. 44.

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

Done at Brussels, 14 February 1980.

For the Commission

Finn GUNDELACH

Vice-President