COMMISSION REGULATION (EEC) No 2737/86

of 3 September 1986

amending for the 12th time Regulation (EEC) No 1371/84 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector

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 1335/86 (2), and in particular Article 5c (7) thereof,

Having regard to Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector (3), as last amended by Regulation (EEC) No 2316/86 (4), and in particular Article 6 (1) thereof,

Whereas Commission Regulation (EEC) No 1371/84 (5), as last amended by Regulation (EEC) No 2133/86 (6), lays down detailed rules for the application of the additional levy referred to in Article 5c of Regulation (EEC) No 804/68 ;

Whereas, pursuant to Articles 2 and 6 of Regulation (EEC) No 857/84, the producers' reference quantities and any variation thereof may be fixed, in Spain, on the basis of figures for 1983, 1984 or 1985 ; whereas the implementing rules should be amended accordingly ;

Whereas special provisions should be made for the application of the rules on stock accounts and declarations of deliveries or direct sales in certain regions of Spain in order to take account of their specific production structures and the administrative problems which are found there ;

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 1371/84 is hereby amended as follows :

1. The following point (d) is added to Article 2 (1) :

'(d) In the case of Spain, the years 1981 and 1983 which appear at (b) and (c) are replaced by 1983 and 1985 respectively.'

2. Article 4 is amended as follows :

(a) The following subparagraph is added to paragraph 1 :

'In the case of Spain, the date 31 December 1984 mentioned in the second subparagraph is replaced by 31 December 1986.' ;

(b) The following subparagraph is added to paragraph 2 :

'In the case of Spain, the dates 1 January 1981 and 1 April 1984 mentioned in the first subparagraph are replaced by 1 January 1983 and 1 April 1986 respectively.' ;

(c) The following subparagraph is added to paragraph 4 :

'In the case of Spain :

— the reference quantity referred to in the first subparagraph under (a) shall correspond to direct sales in 1983, 1984 or 1985, corrected by a uniform percentage in order to comply with Article 6 (2) of Regulation (EEC) No 857/84 without prejudice to the application of Article 2 (2) of this Regulation,

— the date 1 April 1984 mentioned in the first subparagraph under (b) is replaced by 1 April 1986.'

3. In the second subparagraph of Article 11 (1) :

(a) Point (c) is replaced by the following :

'(c) as regards Spain :

— for the 12-month period beginning 1 April 1986, for the entire country,

— for the 12-month period beginning 1 April 1987, for the mountain areas defined in accordance with Article 3 (3) of Council Directive 75/268/EEC and for the region given in the Annex to Commission Decision 77/711/EEC ;',

(b) The following point (d) is added :

'(d) as regards Member States other than Greece, Italy and Spain :

— for the first two 12-month periods, for the mountain areas defined in accordance with Article 3 (3) of Directive 75/268/EEC,

— for the first two quarters, for the entire territory of these Member States.'

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 119, 8. 5. 1986, p. 19.
(3) OJ No L 90, 1. 4. 1984, p. 13.
(4) OJ No L 202, 25. 7. 1986, p. 3.
(5) OJ No L 132, 18. 5. 1984, p. 11.
(6) OJ No L 187, 9. 7. 1986, p. 21.

4. Article 15 is replaced by the following:

'Article 15

Notwithstanding Article 12:

(a) For the second 12-month period:

— the Member States, for the mountain areas defined in accordance with Article 3 (3) of Directive 75/268/EEC and, where formula A is applied, for producers whose reference quantity does not exceed 20 000 kg,

— Greece, for the entire country,

and

— Italy, for all the regions listed in the Annex to Decision 77/711/EEC

shall be authorized to submit the statement referred to in Article 12 (2) within 60 days from the end of the 12-month period concerned.

In cases where formula B is applied, this authorization shall apply to any purchaser of milk at least 60 % of whose milk is collected in the regions referred to in the preceding subparagraph.

(b) For the 12-month periods beginning on 1 April 1986 and 1 April 1987, Spain, for the mountain areas defined in accordance with Article 3 (3) of Directive 75/268/EEC, for the region given in the Annex to Decision 77/711/EEC and, in cases where formula A is applied, for producers whose reference quantity does not exceed 20 000 kg, shall be authorized to submit the statement referred to in Article 12 (2) within 60 days from the end of the 12-month period concerned.

In cases where formula B is applied, this authorization shall apply to any purchaser of milk at least 60 % of whose milk is collected in the regions referred to in the preceding subparagraph.'

Article 2

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

It shall apply with effect from 1 April 1986.

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

Done at Brussels, 3 September 1986.

For the Commission

Frans ANDRIESSEN

Vice-President