COMMISSION REGULATION (EEC) No 1045/87

of 13 April 1987

altering the monetary compensatory amounts in respect of skimmed-milk powder entering Spain under the arrangements laid down in Regulation (EEC) No 1624/76 and where denatured skimmed-milk powder is classified under subheading 04.02 A II b) 1 of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture (1), as last amended by Regulation (EEC) No 90/87 (2), and in particular Articles 9 (2) and 12 thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commission Regulation (EEC) No 119/87 (3), as last amended by Regulation (EEC) No 966/87 (4);

Whereas the Spanish authorities have announced the application 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), as last amended by Regulation (EEC) No 3183/86 (6); whereas the coefficient to be applied when skimmed-milk powder is imported under these arrangements should be determined with reference to the level of the intervention purchasing price in Spain;

Whereas it appears that, when the skimmed-milk powder, denatured in accordance with Article 2 of Commission Regulation (EEC) No 1725/79 of 26 July 1979 on the rules for granting aid to skimmed-milk powder processed into compound feedingstuffs and skimmed-milk powder intended for feed for calves (7), as last amended by Regulation (EEC) No 3183/86, passes through Customs, the Customs authorities sometimes classify the product under subheading 04.02 A II b) 1; whereas it should be provided that, in such a case, the monetary compensatory amount to be applied must be that applied to products classified under subheading 23.07 B II, account being taken of the proportion of skimmed-milk powder contained in the product;

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 Part 5 of Annex I to Regulation (EEC) No 119/87, Note (1) is replaced by the following:

'(1) For skimmed-milk powder consigned to Italy or Spain from another Member State in accordance with Regulation (EEC) No 1624/76 (OJ No L 180, 6. 7. 1976, p. 9), the amount indicated

— in the Member State of dispatch shall be multiplied by the coefficient 0,54,

— in Italy shall be multiplied by the coefficient 0,54,

— in Spain shall be multiplied by the coefficient 0,40.

Where milk in powder or granules which has been denatured in accordance with Article 2 of Regulation (EEC) No 1725/79 (OJ No L 199, 7. 8. 1979, p. 1) is classified under subheading 04.02 A II b) 1 of the Common Customs Tariff, the monetary compensatory amount to be applied shall be that fixed for products classified under subheading 23.07 B II of the Common Customs Tariff, account being taken of the proportion of skimmed-milk powder or granules (excluding any added whey and/or lactose and/or caseine and/or caseinates) in the finished product (see also Note (6).

In intra-Community trade in skimmed-milk powder in the unaltered state, sold under Regulations (EEC) No 368/77 (OJ No L 52, 24. 2. 1977, p. 19) and (EEC) No 443/77 (OJ No L 58, 3. 3. 1977, p. 16), the amount indicated shall be multiplied by the coefficient 0,16.'

Article 2

This Regulation shall enter into force on 1 May 1987.

(1) OJ No L 164, 24. 6. 1985, p. 6.
(2) OJ No L 13, 15. 1. 1987, p. 12.
(3) OJ No L 16, 17. 1. 1987, p. 1.
(4) OJ No L 91, 3. 4. 1987, p. 11.
(5) OJ No L 180, 6. 7. 1976, p. 9.
(6) OJ No L 297, 21. 10. 1986, p. 9.
(7) OJ No L 199, 7. 8. 1979, p. 1.

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

Done at Brussels, 13 April 1987.

For the Commission

Frans ANDRIESSEN

Vice-President