COUNCIL REGULATION (EEC) No 2071/92

of 30 June 1992

amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas Article 5b of Regulation (EEC) No 804/68 (4), provides for the annual fixing of a guarantee threshold for milk; whereas the additional levy introduced by Article 5c of the said Regulation has a comparable objective and has de facto taken over the function of Article 5b, which should therefore be repealed;

Whereas in the interests of simplification and clarification, it would be preferable as a matter of good legislative practice to set out the basic provisions governing the additional levy in a separate Regulation; whereas, to this end, Article 5c of Regulation (EEC) No 804/68 should therefore be amended;

Whereas for the eighth period of the additional levy provision has been made to authorize the Member State to register temporary transfers of the reference quantity until 31 December 1991; whereas this relaxation should be maintained,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 804/68 is hereby amended as follows:

1. Article 5b shall be repealed;

2. The third subparagraph of Article 5c (1) (a) shall be replaced by the following:

   'Notwithstanding the first subparagraph, Member States may authorize and register temporary transfers until not later than 31 December.';

3. Article 5c shall be replaced by the following:

   'The price system is established without prejudice to the implementation of the additional levy.'

Article 2

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

It shall apply from 1 April 1993 with regard to Article 1 (1) and (3).

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

Done at Luxembourg, 30 June 1992.

For the Council

The President

Arlindo MARQUES CUNHA

(1) OJ No C 337, 31. 12. 1991, p. 34.
(2) OJ No C 94, 13. 4. 1992.
(3) OJ No C 98, 21. 4. 1992, p. 22.
(4) OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EEC) No 816/92 (OJ No L 86, 1. 4. 1992, p. 83).