COUNCIL REGULATION (EEC) No 816/92

of 31 March 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),

Whereas the additional-levy arrangements introduced by Article 5c of Council Regulation (EEC) No 804/68 (3), as last amended by Regulation (EEC) No 374/92 (4), expire on 31 March 1992; whereas new arrangements applicable until the year 2000 are to be adopted as part of the reform of the common agricultural policy (CAP); whereas it is necessary in the meantime to continue the present arrangements for a ninth period of 12 months; whereas, under the Commission proposals, the total quantity set by this Regulation may be reduced, in return for compensation, for the said period so that the rationalization efforts already begun can be continued;

Whereas because of the market situation it was necessary temporarily to suspend part of the reference quantities from the fourth to the eighth 12-month period, pursuant to Regulation (EEC) No 775/87 (5), as last amended by Regulation (EEC) No 3643/90 (6); whereas owing to persisting surpluses, 4,5 % of the reference quantities for deliveries are not included for the ninth period in the guaranteed total quantities; whereas in the course of the reform of the CAP, the Council will decide definitively what is to happen with these quantities; whereas, on this assumption, the amount for each Member State of the quantities concerned should be specified;

Whereas it has been agreed that application of the arrangements to control milk production must not jeopardize the restructuring of agricultural holdings in the territory of the former German Democratic Republic; whereas the difficulties encountered make it necessary to extend for a further period the flexibility introduced into those arrangements for that territory, while ensuring that it remains the sole beneficiary,

(1) OJ No C 337, 31. 12. 1991, p. 34.
(2) Opinion delivered on 25 March 1992 (not yet published in the Official Journal).
(3) OJ No L 148, 28. 6. 1968, p. 13.
(4) OJ No L 41, 18. 2. 1992, p. 9.
(5) OJ No L 78, 20. 3. 1987, p. 5.
(6) OJ No L 362, 27. 12. 1990, p. 9.

HAS ADOPTED THIS REGULATION:

Article 1

Article 5c of Regulation (EEC) No 804/68 is hereby amended as follows:

1. in the first subparagraph of paragraph 1, 'during eight periods' shall be replaced by 'during nine periods';

2. the following paragraph shall be added:

'1b. In the case of agricultural holdings situated in the territory of the former German Democratic Republic, the reference quantity may be allocated provisionally for the ninth period, provided that the quantity thus allocated is not modified during that period.';

3. the following point shall be added to paragraph 3:

'(g) for the 12-month period from 1 April 1992 to 31 March 1993, and without prejudice during that period, taking account of the Commission proposals in connection with the reform of the CAP, to a 1 % reduction calculated on the basis of the quantity referred to in the second subparagraph of this paragraph, the total quantity, expressed in thousands of tonnes, shall be:

Belgium	2 881,036
Denmark	4 369,390
Germany	27 154,205 (1)
Greece	520,615
Spain	4 361,750
France	23 042,430
Ireland	4 725,600
Italy	8 224,210
Luxembourg	237,175
Netherlands	10 709,205
Portugal	1 743,420
United Kingdom	13 702,993.

The quantities referred to in Regulation (EEC) No 775/87 which are not included in the first subparagraph are as follows in thousands of tonnes:

Belgium	144,495
Denmark	219,690
Germany	1 360,215 (2)
Greece	24,165
Spain	209,250
France	1 153,530
Ireland	237,600
Italy	395,910

Luxembourg	11,925
Netherlands	539,055
United Kingdom	689,831

(1) Including 6 157,620 for deliveries to buyers established in the territory of the former German Democratic Republic.
(2) Including 306,18 in the territory of the former German Democratic Republic.

The Council shall take a final decision on the future of these quantities in the context of the reform of the CAP.'

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 from 1 April 1992.

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

Done at Brussels, 31 March 1992.

For the Council

The President

Arlindo MARQUES CUNHA