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(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 895/96

of 20 May 1996

amending Regulation (EC) No 454/95 laying down detailed rules for intervention on the market in butter and cream

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 Commission Regulation (EC) No 2931/95 [2], and in particular Articles 6 (6), 28 and 30 thereof,

Whereas Article 12 (5) of Commission Regulation (EC) No 454/95 [3], as amended by Regulation (EC) No 331/96 [4], lays down certain detailed rules on the payment of aid for the private storage of butter; whereas, as a result of a discrepancy between the various language versions and the original text of that paragraph, the amendment introduced by Regulation (EC) No 331/96 has had different effects depending on the language version concerned; whereas, to resolve the problem and to remove all ambiguity, the text of Article 12 (5) should be adopted again with effect from the date of entry into force of the last amendment;

Whereas Annex II to Regulation (EC) No 454/95 contains references to the national quality classes of butter; whereas the reference for Finnish butter should be amended to take account of an amendment to national legislation thereon;

Whereas the measures provided for in this Regulation are in accordance with the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 454/95 is amended as follows:

1. Article 12 (5) is replaced by the following:

'5. The aid shall be paid on application by the interested party at the latest within 120 days of the last day of contractual storage. However, if an administrative enquiry into entitlement to the aid is under way, payment shall not be made until entitlement has been recognized.

After 60 days of contractual storage a single advance payment of the aid may be made at the storer's request, on condition that he lodges a security equal to the advance payment plus 10 %. The advance shall be calculated on the basis of a storage period of 90 days.'

2. The fourteenth indent in Annex II is replaced by the following text:

'— "perinteinen meijerivoi / traditionellt mejerismör" as regards Finnish butter,'.

Article 2

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

Article 1 (1) shall apply from 27 February 1996.

[1] OJ No L 148, 28. 6. 1968, p. 13.
[2] OJ No L 307, 20. 12. 1995, p. 10.
[3] OJ No L 46, 1. 3. 1995, p. 1.
[4] OJ No L 47, 24. 2. 1996, p. 10.

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

Done at Brussels, 20 May 1996.

For the Commission
Franz FISCHLER
Member of the Commission