COMMISSION REGULATION (EC) No 751/1999

of 9 April 1999

adjusting the total quantities set in Article 3 of Council Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector [1], as last amended by Commission Regulation (EC) No 903/98 [2], and in particular Articles 3(2) and 4(2) thereof,

Whereas Article 3(2) of Regulation (EEC) No 3950/92 provides that the guaranteed total quantities for Austria and Finland may be increased up to a maximum of 180 000 tonnes and 200 000 tonnes respectively in order to compensate Austrian and Finnish 'SLOM' producers; whereas pursuant to Article 6 of Commission Regulation (EC) No 671/95 [3], as amended by Regulation (EC) No 1390/95 [4], Austria and Finland have notified the quantities concerned for the 1998/99 marketing year; whereas the guaranteed total quantities should therefore be increased accordingly through the procedure laid down in Article 30 of Council Regulation (EEC) 804/68 [5], as last amended by Regulation (EC) No 1587/96 [6];

Whereas Article 4(2) of Regulation (EEC) No 3950/92 provides that individual reference quantities are to be increased or established at the duly justified request of producers to take account of changes in their deliveries and/or direct sales; whereas an increase in or establishment of a reference quantity must be offset by a corresponding reduction or deletion of the other reference quantity held by the producer;

Whereas such adjustments may not involve for the Member State concerned an increase in the sum of the delivery and direct sale quantities indicated in Article 3 of Regulation (EEC) No 3950/92; whereas in the event of definitive changes to individual reference quantities the quantities set in the said Article 3 are to be adjusted accordingly through the procedure laid down in Article 30 of Regulation (EEC) No 804/68;

Whereas pursuant to Article 8, third indent, of Commission Regulation (EEC) No 536/93 [7], as last amended by Regulation (EC) No 1255/98 [8], Belgium, Denmark, Germany, Spain, France, Ireland, the Netherlands, Austria and the United Kingdom have notified the Commission of quantities definitively modified as mentioned in the second subparagraph of Article 4(2) of Regulation (EEC) No 3950/92; whereas the total quantities for these Member States set in Article 3 of Regulation (EEC) No 3950/92 should therefore be adjusted accordingly;

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

The table in the first subparagraph of Article 3(2) of Regulation (EEC) No 3950/92 is replaced by the following table:

'Member State	Deliveries	Direct sales
Belgium	3 140 696	169 735
Denmark	4 454 640	708
Germany [1]	27 767 036	97 780
Greece	629 817	696
Spain	5 457 564	109 386
France	23 793 932	441 866
Ireland	5 236 575	9 189
Italy	9 698 399	231 661
Luxembourg	268 098	951
Netherlands	10 991 900	82 792
Austria	2 393 979	355 422
Portugal	1 835 461	37 000
Finland	2 394 528	10 000
Sweden	3 300 000	3 000
United Kingdom	14 373 969	216 078

[1] Of which 6 242 180 tonnes for deliveries by producers in the new *Länder* and 11 187 tonnes for direct sales in the new *Länder*.'

[1] OJ L 405, 31.12.1992, p. 1.
[2] OJ L 127, 29.4.1998, p. 8.
[3] OJ L 70, 30.3.1995, p. 2.
[4] OJ L 135, 21.6.1995, p. 4.
[5] OJ L 148, 28.6.1968, p. 13.
[6] OJ L 206, 16.8.1996, p. 21.
[7] OJ L 57, 10.3.1993, p. 12.
[8] OJ L 173, 18.6.1998, p. 14.

Article 2

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

It shall apply with effect from 1 April 1998.

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

Done at Brussels, 9 April 1999.

For the Commission

Franz FISCHLER

Member of the Commission