

**REGULATION (EEC) No 3557/73 OF THE COMMISSION**

of 21 December 1973

concerning provisional derogation from certain conditions for granting aid for skimmed milk and skimmed-milk powder for use as feed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty<sup>(1)</sup> on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed on 22 January 1972, and in particular Article 63 of the Act<sup>(2)</sup> annexed thereto;

Whereas, pursuant to Commission Regulation (EEC) No 644/73<sup>(3)</sup> of 2 March 1973 on a provisional variation in the new Member States from a condition on the granting of aid for skimmed milk for use as feed, the new Member States may provide that until 31 December 1973 the treatment of skimmed milk provided for in Article 2(1)(a) and Article 2(2) of Council Regulation (EEC) No 986/68<sup>(4)</sup> of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed, as last amended by Regulation (EEC) No 1038/72<sup>(5)</sup>, need not be carried out in dairies which do not yet have the necessary equipment for the purpose;

Whereas, as a result of difficulties encountered in obtaining the necessary equipment, such equipment is not yet available for use in all the dairies in the new Member States; whereas it is therefore necessary to extend the transitional period;

Whereas, pursuant to Article 1(c) and Article 2(1) of Regulation (EEC) No 986/68, skimmed-milk powder for which aid is to be granted must have a fat content of not more than 1.5 %; whereas on 1 February 1973 the new Member States had stocks of skimmed-milk powder with a higher fat content, since there were previously no Regulations limiting the fat content of skimmed-milk powder; whereas after 1 February 1973 the dairies in the new Member States could not always observe the requirements in respect of the fat content for the granting of aid when manufacturing skimmed-milk powder for use as feed;

Whereas, during a certain transitional period, a higher fat content should consequently be permitted for the purpose of granting aid for roller skimmed-milk powder produced in the new Member States;

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*

Regulation (EEC) No 644/73 shall remain applicable after 31 December 1973 during the period to which Article 63(1) of the Act on the Conditions of Accession and the Adjustments to the Treaties relates and until 31 July 1974 at the latest.

*Article 2*

1. By way of derogation from Articles 1 and 2 of Regulation (EEC) No 986/68, aid shall also be granted for roller skimmed-milk powder produced in the new Member States before 1 January 1974 and having a fat content of more than 1.5 % and less than 2.5 %.

2. Paragraph 1 shall be applicable only if the applicant:

- (a) provides proof that the skimmed-milk powder in question was produced in a new Member State before 1 January 1974;
- (b) submits an application for aid for the skimmed-milk powder in question by 1 July 1974.

*Article 3*

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

(1) OJ No L 73, 27. 3. 1972, p. 5.

(2) OJ No L 73, 27. 3. 1972, p. 14.

(3) OJ No L 61, 7. 3. 1973, p. 13.

(4) OJ No L 169, 18. 7. 1968, p. 21.

(5) OJ No L 118, 20. 5. 1972, p. 21.

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

Done at Brussels, 21 December 1973.

*For the Commission*

*The President*

François-Xavier ORTOLI

---