

COMMISSION REGULATION (EEC) No 2772/77

of 14 December 1977

amending Regulations (EEC) No 368/77, (EEC) No 443/77 and (EEC) No 938/77
as regards the application of monetary compensatory amounts to certain
products containing denatured milk powder

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic 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 Regulation (EEC) No 2560/77⁽²⁾, and in
particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No
974/71 of 12 May 1971 on certain measures of
conjunctural policy to be taken in agriculture
following the temporary widening of the margins of
fluctuation for the currencies of certain Member
States⁽³⁾, as last amended by Regulation (EEC) No
557/76⁽⁴⁾, and in particular Article 6 thereof,

Whereas Article 19 of Commission Regulation (EEC)
No 368/77 of 23 February 1977 on the sale by tender
of skimmed-milk powder for use in feed for pigs and
poultry⁽⁵⁾, as last amended by Regulation (EEC) No
2378/77⁽⁶⁾, provides that a coefficient is to apply to
the compensatory amounts fixed for certain products
containing denatured milk powder; whereas, pursuant
to Article 9 (c) of Commission Regulation (EEC) No
443/77 of 2 March 1977 on the sale at a fixed price of
skimmed-milk powder for use in feed for pigs and
poultry and amending Regulations (EEC) No 1687/76
and (EEC) No 368/77⁽⁷⁾, that provision applies also to
products denatured under the said Regulation (EEC)
No 443/77; whereas the denatured products in ques-
tion fall within subheading 23.07 B of the Common
Customs Tariff; whereas, for reasons of clarity, Article
19 of Regulation (EEC) No 368/77 should state
expressly that the reference to subheading 04.02 A II
b) 1 applies only to skimmed-milk powder in its
natural state;

Whereas this amendment should be taken into
account in Note (2) to Part 5 of Annex I to Commis-
sion Regulation (EEC) No 938/77 of 29 April 1977
fixing the monetary compensatory amounts and

(1) OJ No L 148, 28. 6. 1968, p. 13.

(2) OJ No L 303, 28. 11. 1977, p. 1.

(3) OJ No L 106, 12. 5. 1971, p. 1.

(4) OJ No L 67, 15. 3. 1976, p. 1.

(5) OJ No L 52, 24. 2. 1977, p. 19.

(6) OJ No L 277, 29. 10. 1977, p. 35.

(7) OJ No L 58, 3. 3. 1977, p. 16.

certain rates for their application⁽⁸⁾, as last amended
by Regulation (EEC) No 2730/77⁽⁹⁾;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Manage-
ment Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

Article 19 of Regulation (EEC) No 368/77 is hereby
amended to read as follows:

Article 19

1. The aid provided for in Article 10 of Regula-
tion (EEC) No 804/68 shall not be granted to
skimmed-milk powder sold under this Regulation.

2. In the case of skimmed-milk powder sold
under this Regulation and:

— dispatched to another Member State in its
natural state, the monetary compensatory
amount fixed pursuant to Regulation (EEC) No
974/71 shall, in the case of products falling
within subheading 04.02 A II b) 1 of the
Common Customs Tariff, be multiplied by
0.15,

— dispatched to another Member State or
exported to non-member countries either after
denaturing or after incorporation in compound
feedingstuffs, the monetary compensatory
amounts fixed pursuant to Regulation (EEC)
No 974/71 shall, in the case of products falling
within subheadings:

— 23.07 B I a) 3,

— 23.07 B I a) 4,

— 23.07 B I b) 3,

— 23.07 B I c) 3,

— 23.07 B II,

of the Common Customs Tariff, be multiplied by
0.25.

(8) OJ No L 110, 30. 4. 1977, p. 6.

(9) OJ No L 317, 12. 12. 1977, p. 1.

Article 2

The third paragraph of Note ⁽²⁾ to Part 5 of Annex I to Regulation (EEC) No 938/77 is hereby amended to read as follows :

'In the case of skimmed-milk powder sold under Regulation (EEC) No 368/77 (OJ No L 52, 24. 2. 1977) and Regulation (EEC) No 443/77 (OJ No L

58, 3. 3. 1977) and dispatched in its natural state to another Member State, the amount indicated shall be multiplied by the coefficient 0.15.'

Article 3

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 14 December 1977.

For the Commission

Finn GUNDELACH

Vice-President
