

COUNCIL REGULATION (EEC) No 306/91

of 4 February 1991

amending Regulation (EEC) No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector

THE COUNCIL 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 3117/90 ⁽²⁾, and in particular Article 5c (6) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 857/84 ⁽³⁾, as last amended by Regulation (EEC) No 1183/90 ⁽⁴⁾, provides for the possibility of re-allocating against payment the quantities freed by a producer to another producer in certain regions and collecting areas; whereas the conditions for implementing this provision need to be updated,

Whereas Article 12 (b) of Regulation (EEC) No 857/84 defines, as far as is necessary for determining the levy, certain milk products; whereas, by way of clarification, the non-restrictive nature of that definition should be specified,

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

Done at Brussels, 4 February 1991.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 857/84 is hereby amended as follows:

1. The first indent of Article 4 (1) (d) is replaced by the following:
'— shall be less than the maximum referred to in the first subparagraph of Article 2 (2) of Regulation (EEC) No 1336/86';
2. Article 12 (b) is replaced by the following:
'(b) other milk products: cream, butter and cheese, in particular';

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.*For the Council**The President*

R. STEICHEN

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 303, 31. 10. 1990, p. 5.⁽³⁾ OJ No L 90, 1. 4. 1984, p. 13.⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 27.