

Commission Regulation (EC) No 793/2009 of 31 August 2009 amending Regulation (EC) No 595/2004 laying down detailed rules for applying Council Regulation (EC) No 1788/2003 establishing a levy in the milk and milk products sector

Article 1

Regulation (EC) No 595/2004 is amended as follows:

1. in Article 27, paragraph 4 is replaced by the following paragraphs 4, 5 and 6:
4. Before 1 October each year, the Member States shall communicate to the Commission a report concerning quota utilisation and levy collection in respect of the 12-month period finishing on 31 March of the same calendar year. Member States shall communicate an update of the report to the Commission before 1 December to include relevant newly available information.
5. The report referred to in paragraph 4 shall include information on the reallocation of unused quota including the number of producers to whom allocations were made and the basis for the allocations. Member States shall include in the report at least the information referred to in Part 1 of Annex IIa. In the case of the report to be communicated before 1 October 2009, it shall provide the relevant information in respect of both the 2008/2009 and the 2007/2008 12-month periods.
6. The report referred to in paragraph 4 shall state the amount of surplus levy paid to date to the competent authority, number of producers contributing to the payment of the surplus levy to date, the amount and the number of cases where levy is yet to be paid, and the amount and number of cases where the surplus levy has been deemed impossible to collect due to bankruptcy or producers' definitive incapacity to pay. Member States shall communicate the relevant information in the format set out in Part 2 of Annex IIa. The report to be communicated before 1 October 2009 shall include the details in respect of levy collection for each 12-month period from 2003/2004 onwards, or in the case of Member States who first implemented the Regulation after 2003/2004, details as regards each 12-month period of implementation. Each subsequent report shall update the position in respect of the collection of any surplus levy previously reported as not yet paid.;
2. after Annex II an Annex IIa is inserted, the text of which is set out in the Annex to this Regulation.

Article 2

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

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

Changes to legislation: There are currently no known outstanding effects for the
Commission Regulation (EC) No 793/2009. (See end of Document for details)

Done at Brussels, 31 August 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EC) No 793/2009.