

COUNCIL REGULATION (EEC) No 1040/78

of 22 May 1978

**amending Regulation (EEC) No 880/77 on the granting of a consumer subsidy
for butter**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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 1038/78⁽²⁾, and in particular Article 12 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas Council Regulation (EEC) No 880/77 of 26 April 1977 on the granting of a consumer subsidy for butter⁽⁵⁾ authorizes the Member States to grant, in favour of final private consumers, a subsidy for butter which may not exceed 56 units of account per 100 kilograms; whereas Article 3 of that Regulation lays down the method of calculating the Community contribution to this subsidy, by way of derogation from the arrangements referred to in Article 3 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽⁶⁾, as last amended by Regulation (EEC) No 2788/72⁽⁷⁾;

Whereas in the interests of the greater efficiency of this measure the limit of 56 units of account per 100 kilograms should with effect from 1 January 1978 be applied only to Community financing;

Whereas special financing arrangements apply until 31 December 1978 in order to facilitate the grant of subsidies in the United Kingdom; whereas this period should be extended to 31 March 1979; whereas, for the period 22 May 1978 to 31 March 1979, the level of Community financing should be set in such a way as to gradually align these special arrangements on the Community arrangements for financing the subsidy,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 880/77 shall be replaced by the following:

Article 1

The Member States shall be authorized to grant a subsidy for butter in favour of final private consumers.'

Article 2

Article 3 (1) of Regulation (EEC) No 880/77 shall be amended as follows:

1. In the first subparagraph, the second indent shall be replaced by the following:

- in respect of that portion of the subsidy exceeding 20 units of account but not exceeding 56 units of account for 100 kilograms of butter: to 50 %,
- in respect of that portion of the aid exceeding 56 units of account for 100 kilograms of butter: to 0 %.

2. In the second subparagraph, the expression 'to 31 December 1978' shall be deleted and point (b) shall be replaced by the following points:

'(b) during the period 22 May to 30 June 1978:

- in respect of that portion of the subsidy not exceeding 28 units of account per 100 kilograms: to 100 %,
- in respect of that portion of the subsidy in excess of 28 units of account per 100 kilograms: to 25 %;

'(c) during the period 1 July to 31 December 1978:

- in respect of that portion of the subsidy not exceeding 23 units of account per 100 kilograms: to 100 %,
- in respect of that portion of the subsidy in excess of 23 units of account per 100 kilograms: to 25 %;

(d) during the period 1 January to 31 March 1979:

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

(2) See page 4 of this Official Journal.

(3) OJ No C 85, 10. 4. 1978, p. 31.

(4) OJ No C 101, 26. 4. 1978, p. 10.

(5) OJ No L 106, 29. 4. 1977, p. 31.

(6) OJ No L 94, 28. 4. 1970, p. 13.

(7) OJ No L 295, 30. 12. 1972, p. 1.

- in respect of that portion of the subsidy not exceeding 18 units of account per 100 kilograms : to 100 %,
 - in respect of that portion of the subsidy in excess of 18 units of account per 100 kilograms : to 25 % ;
- (e) during the different periods referred to under (a) to (d) :
- in respect of that portion of the subsidy in excess of 56 units of account per 100 kilograms : to 0 %.

Article 3

This Regulation shall enter into force on 22 May 1978.

Articles 1 and 2 (1) shall apply as from 1 January 1978.

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

Done at Brussels, 22 May 1978.

For the Council

The President

K. HEINESEN
