

COMMISSION REGULATION (EEC) No 837/91

of 4 April 1991

amending Regulation (EEC) No 2742/90 laying down detailed rules for the application of Council Regulation (EEC) No 2204/90

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2204/90 of 24 July 1990 laying down additional general rules on the common organization of the market in milk and milk products as regards cheese⁽¹⁾, and in particular the second paragraph of Article 1 and the second subparagraph of Article 3 (3) thereof,

Whereas Article 4 (1) of Commission Regulation (EEC) No 2742/90⁽²⁾ fixes the sum due for quantities of casein and/or caseinates used without authorization having regard to the prices for casein and caseinates recorded on the markets in the second quarter of 1990; whereas the downward trend in those prices during the second half of 1990 requires that sum to be increased;

Whereas the Annex to Regulation (EEC) No 2742/90 gives the maximum percentages of casein and/or caseinates to be incorporated in cheese; whereas Article 2 (2) of that Regulation provides that the Annex may be amended to take account of reasoned applications providing evidence that there is a technical need for the addition of casein or caseinates; whereas the examination of two applications has enabled such a need to be demonstrated as regards powdered processed cheese and grated processed cheese; whereas that Annex should be supplemented accordingly;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2742/90 is hereby amended as follows:

1. Article 4 (1) is replaced by the following:

'1. The sum due in accordance with Article 3 (3) of Regulation (EEC) No 2204/90 shall be ECU 350 per 100 kilograms of casein and/or caseinates, having regard to the price for casein and caseinates recorded on the markets in the fourth quarter of 1990.'

2. The following is added to the Annex:

— grated processed cheese covered by CN code ex 0406 20: 5 %⁽¹⁾

— processed cheese in powdered form covered by CN code ex 0406 20: 5 %⁽¹⁾.

⁽¹⁾ Manufactured by a continuous process, without addition of already manufactured processed cheese.'

Article 2

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

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

Done at Brussels, 4 April 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 201, 31. 7. 1990, p. 7.

⁽²⁾ OJ No L 264, 27. 9. 1990, p. 20.