

**COUNCIL REGULATION (EEC) No 876/77**

of 26 April 1977

**amending Regulation (EEC) No 986/68 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed**

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 559/76<sup>(2)</sup>, and in particular Article 10 (2) thereof,

Having regard to the proposal from the Commission,

Whereas there are large intervention stocks of skimmed-milk powder in the Community; whereas, because of the high costs resulting from prolonged public storage, it is necessary to take special measures to facilitate the use of skimmed milk for purposes other than the manufacture of skimmed-milk powder, and to amend for that purpose Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed<sup>(3)</sup>, as last amended by Regulation (EEC) No 1530/76<sup>(4)</sup>;

Whereas, in order to encourage the maximum use of liquid skimmed milk as feed, it is necessary to encourage the disposal of skimmed milk to be used for feeding animals other than young calves; whereas this use of skimmed milk should therefore be encouraged and it should be made possible to grant to this end a larger amount of aid than that resulting from the application of Article 2a of Regulation (EEC) No 986/68; whereas a similar measure should be adopted for skimmed-milk powder in order to permit its use in the manufacture of compound feedingstuffs for animals other than young calves;

Whereas the rules in force do not lay down any quality requirements which skimmed-milk powder must meet in order to qualify for the aid referred to in Article 10 of Regulation (EEC) No 804/68; whereas it is essential to specify a maximum moisture content;

Whereas Article 2 (6) of Regulation (EEC) No 986/68 allows, until the end of the 1976/77 milk year, the granting of aid to denatured skimmed-milk powder to be limited if it is likely to impair the effectiveness of aid for other products; whereas the reasons which led to the adoption of this measure still hold good and make it necessary to delete the time limit for its application,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 986/68 is hereby amended as follows:

(a) Article 1 (d) shall read as follows:

‘(d) skimmed-milk powder:

powdered milk and buttermilk with a maximum fat content of 11 % and a moisture content not exceeding a maximum to be fixed, unless such skimmed-milk powder comes from public stocks. This moisture content shall apply at a stage and in conditions to be defined.’

(b) In Article 2 (6), the words ‘until the end of the milk year 1976/77’ shall be deleted.

(c) The following paragraph 4 shall be added to Article 2a:

‘4. However, the aid may be fixed at levels higher than those resulting from the application of paragraph 3 if:

— the skimmed milk referred to in Article 2 (1) (a) is used for feeding animals other than young calves and is delivered to breeders of such animals at a maximum price to be fixed, under contracts which meet conditions to be determined;

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 67, 15. 3. 1976, p. 9.

<sup>(3)</sup> OJ No L 169, 18. 7. 1968, p. 4.

<sup>(4)</sup> OJ No L 170, 29. 6. 1976, p. 4.

- the skimmed milk referred to in Article 2 (1) (b) is used on farms where it has been produced, for feeding animals other than young calves;
- the skimmed milk and skimmed-milk powder referred to in Article 2 (1) (d) are used in the

manufacture of compound feedingstuffs for animals other than young calves.'.

*Article 2*

This Regulation shall enter into force on 1 May 1977.

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

Done at Luxembourg, 26 April 1977.

*For the Council*

*The President*

J. SILKIN

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