

COMMISSION REGULATION (EC) No 416/2009**of 20 May 2009****on the division between 'deliveries' and 'direct sales' of national milk quotas fixed for 2008/2009 in Annex IX to Council Regulation (EC) No 1234/2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 69(1) in conjunction with Article 4 thereof,

Whereas:

- (1) Article 67(2) of Regulation (EC) No 1234/2007 provides that producers may have one or two individual quotas, one for deliveries and the other for direct sales and quantities may be converted from one quota to the other only by the competent authority of the Member State, at the duly justified request of the producer.
- (2) Commission Regulation (EC) No 415/2008 of 8 May 2008 on the division between 'deliveries' and 'direct sales' of national reference quantities fixed for 2007/2008 in Annex I to Council Regulation (EC) No 1788/2003 ⁽²⁾ sets out the division between 'deliveries' and 'direct sales' for the period from 1 April 2007 to 31 March 2008 for all Member States.
- (3) In accordance with Article 25(2) of Commission Regulation (EC) No 595/2004 of 30 March 2004 laying down detailed rules for applying Council Regulation (EC) No 1788/2003 establishing a levy in the milk and milk products sector ⁽³⁾, Member States have notified the quantities which have been definitively converted at

the request of the producers between individual quotas for deliveries and for direct sales.

- (4) In accordance with Council Regulation (EC) No 248/2008 of 17 March 2008 amending Regulation (EC) No 1234/2007 as regards the national quotas for milk ⁽⁴⁾, the total national quotas for all Member States were increased with effect from 1 April 2008. Member States, except Malta which has no direct sales part of its national quota, have notified the Commission of the division between 'deliveries' and 'direct sales' of the additional quota.
- (5) It is therefore appropriate to establish the division between 'deliveries' and 'direct sales' of the national quotas applicable for the period from 1 April 2008 to 31 March 2009 fixed in Annex IX to Regulation (EC) No 1234/2007.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

The division, applicable for the period from 1 April 2008 to 31 March 2009, between 'deliveries' and 'direct sales' of the national quotas fixed in Annex IX to Regulation (EC) No 1234/2007 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.

Done at Brussels, 20 May 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 125, 9.5.2008, p. 22.

⁽³⁾ OJ L 94, 31.3.2004, p. 22.

⁽⁴⁾ OJ L 76, 19.3.2008, p. 6.

ANNEX

(tonnes)

Member States	Deliveries	Direct sales
Belgium	3 371 559,558	55 729,182
Bulgaria	912 238,158	86 341,842
Czech Republic	2 785 413,892	7 275,728
Denmark	4 612 376,648	242,872
Germany	28 755 245,289	92 175,102
Estonia	650 386,770	8 908,590
Ireland	5 501 532,799	2 146,481
Greece	835 781,260	1 142,000
Spain	6 173 230,927	66 058,073
France	24 738 890,113	352 431,587
Italy	10 474 131,877	266 529,323
Cyprus	146 970,338	1 133,662
Latvia	725 538,102	17 682,858
Lithuania	1 674 056,192	64 879,588
Luxembourg	278 070,680	475,000
Hungary	1 921 492,480	108 368,720
Malta	49 671,960	0,000
Netherlands	11 392 464,000	73 166,280
Austria	2 755 298,641	92 179,828
Poland	9 403 080,692	164 665,168
Portugal ⁽¹⁾	1 979 091,285	8 429,715
Romania	1 429 140,086	1 688 999,914
Slovenia	567 987,116	20 183,644
Slovakia	1 049 485,430	12 118,330
Finland	2 486 700,282	6 015,111
Sweden	3 415 795,900	3 800,000
United Kingdom	14 988 515,859	136 653,081

⁽¹⁾ Except Madeira.