

JUDGMENT OF THE COURT (THIRD CHAMBER)  
18 FEBRUARY 1982 <sup>1</sup>

**Zuckerfabrik Franken GmbH  
v Federal Republic of Germany  
(reference for a preliminary ruling  
from the Verwaltungsgericht, Frankfurt am Main)**

(Denaturing premium for sugar)

Case 77/81

*Agriculture — Common organization of the markets — Sugar — Denaturing premium — Conditions for grant — Use of the denatured sugar for animal feed — Use otherwise than for that purpose by third parties — Liability of the recipient of the premium certificate*

*(Regulation (EEC) No 2049/69 of the Council; Regulation (EEC) No 100/72 of the Commission)*

Recipients of denaturing premium certificates under Regulation No 100/72 are required, in accordance with the provisions of that regulation and those of Regulation No 2049/69, to use the denatured sugar exclusively for animal feed.

National rules which provide that such persons are liable for any use otherwise than for the intended purpose by third parties do not conflict with Community law.

In Case 77/81

REFERENCE to the Court under Article 177 of the EEC Treaty by the First Chamber of the Verwaltungsgericht [Administrative Court], Frankfurt am Main, for a preliminary ruling in the action pending before that court between

ZUCKERFABRIK FRANKEN GMBH, Ochsenfurt,

and

FEDERAL REPUBLIC OF GERMANY, represented by the Bundesanstalt für landwirtschaftliche Marktordnung [Federal Office for the Organization of Agricultural Markets], Frankfurt am Main,

<sup>1</sup> — Language of the Case: German.