

# Official Journal

## of the European Communities

Volume 19 No L 67  
15 March 1976

English Edition

## Legislation

---

### Contents

#### I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 557/76 of 15 March 1976 on the exchange rates to be applied in agriculture and repealing Regulation (EEC) No 475/75 ..... 1
- ★ Council Regulation (EEC) No 558/76 of 15 March 1976 fixing certain prices applicable for milk and milk products, beef and veal and pigmeat for the 1976/77 marketing year ..... 4
- ★ Council Regulation (EEC) No 559/76 of 15 March 1976 amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products. 9
- ★ Council Regulation (EEC) No 560/76 of 15 March 1976 fixing the threshold prices for certain milk products for the 1976/77 milk year ..... 10
- ★ Council Regulation (EEC) No 561/76 of 15 March 1976 amending Regulation (EEC) No 823/68 as regards the conditions of entry for certain kinds of cheeses falling within certain tariff headings and Regulation (EEC) No 950/68 on the Common Customs Tariff ..... 11
- ★ Council Regulation (EEC) No 562/76 of 15 March 1976 on the granting of a consumer subsidy for butter ..... 16
- ★ Council Regulation (EEC) No 563/76 of 15 March 1976 on the compulsory purchase of skimmed-milk powder held by intervention agencies for use in feedingstuffs... 18
- ★ Council Regulation (EEC) No 564/76 of 15 March 1976 repealing Regulation (EEC) No 155/75 on the sale of skimmed-milk powder from public stocks for supply to developing countries ..... 21
- ★ Council Regulation (EEC) No 565/76 of 15 March 1976 amending Regulation (EEC) No 986/68 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feedingstuffs ..... 22

Contents (continued)

- ★ Council Regulation (EEC) No 566/76 of 15 March 1976 amending Regulation (EEC) No 1411/71 as regards the fat content of whole milk ..... 23
- ★ Council Regulation (EEC) No 567/76 of 15 March 1976 laying down general rules governing the distillation of table wines for which the distillation contract must be approved before 15 April 1976 ..... 25
- ★ Council Regulation (EEC) No 568/76 of 15 March 1976 amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal..... 28
- ★ Council Regulation (EEC) No 569/76 of 15 March 1976 laying down special measures for linseed ..... 29

## I

*(Acts whose publication is obligatory)*

## COUNCIL REGULATION (EEC) No 557/76

of 15 March 1976

on the exchange rates to be applied in agriculture and repealing Regulation (EEC) No 475/75

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 28, 43 and 235 thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy <sup>(1)</sup>, as last amended by Regulation (EEC) No 2543/73 <sup>(2)</sup>, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(3)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(4)</sup>,

Whereas the situation referred to in Article 3 (1) of Regulation No 129, in respect of which derogations may be made from the principle of using parities for converting one currency into another, now obtains in various Member States;

Whereas it has been possible to solve the problems posed by such a situation by applying monetary compensatory amounts and representative conversion rates for the purposes of the common agricultural policy; whereas this arrangement leads to divergent price levels in the Member States concerned; whereas,

however, in order to prevent the maintenance of unchanged rates for the common agricultural policy from leading to an increase in the difference between price-levels expressed in national currencies when prices are increased, and in view of the fact that certain adjustments may be made to the rates to adapt them to the real economic situations in the Member States, representative rates for the currencies of the Member States concerned should be fixed at levels more closely related to the actual economic situation; whereas at the same time all these representative rates should be re-published in a new text;

Whereas the impact of this measure on the economies of the Member States concerned should be moderated as far as possible; whereas, for this reason, the new rates should be applied within a reasonable period, coinciding if possible with the beginning of the marketing year or with a change in prices;

Whereas it is possible to reduce still further the effects of the compensatory amounts on Member States with depreciated currencies; whereas to this end changes should be made to Article 2 (1) (b) of Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation of the currencies of certain Member States <sup>(5)</sup>, as last amended by Regulation (EEC) No 475/75 <sup>(6)</sup>;

Whereas to fix such a representative rate would lead to an adjustment of agricultural prices; whereas the problems raised by the modification of exchange rates are the subject of Community provisions, in particular Council Regulation (EEC) No 1134/68 of

<sup>(1)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.

<sup>(2)</sup> OJ No L 263, 19. 9. 1973, p. 1.

<sup>(3)</sup> OJ No C 53, 8. 3. 1976, p. 24.

<sup>(4)</sup> OJ No C 50, 4. 3. 1976, p. 19.

<sup>(5)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(6)</sup> OJ No L 52, 28. 2. 1975, p. 28.

30 July 1968 laying down rules for the implementation of Regulation (EEC) No 653/68 on conditions for alterations to the value of the unit of account used for the common agricultural policy <sup>(1)</sup>; whereas these provisions only cover the case of a change in the parity of a currency; whereas they should also be applied in this case; whereas, however, in so far as the parties concerned may request the cancellation of documents or certificates, such application would be justified only if they are placed at a disadvantage as a result of the fixing of the new representative rates;

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, the measures envisaged should be adopted in accordance with the conditions laid down in Article 3 (2) of Regulation No 129,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

1. Where transactions to be carried out in pursuance of instruments relating to the common agricultural policy, or specific rules laid down by virtue of Article 235 of the Treaty, require the currencies referred to in Article 2 to be expressed in another currency or in units of account, the rate of exchange shall, in derogation from Article 2 (1) of Regulation No 129, be that corresponding to the representative rate for that currency.

2. The representative rate shall cease to be applicable for the currency of a Member State at such time as that State declares a new parity to the International Monetary Fund.

#### *Article 2*

1. The representative rate referred to in Article 1 shall be:

- (a) for the Belgian franc and the Luxembourg franc:  
Bfr/Lfr 1 = 0.0202640 unit of account;
- (b) for the Danish kroner:  
Dkr 1 = 0.131956 unit of account;
- (c) for the German mark:  
DM 1 = 0.287287 unit of account;
- (d) for the French franc:  
FF 1 = 0.180044 unit of account;

<sup>(1)</sup> OJ No L 188, 1. 8. 1968, p. 1.

- (e) for the Irish pound:  
£1 Irish = 1.69653 units of account;
- (f) for the Italian lira:  
Lit 100 = 0.110497 unit of account;
- (g) for the Dutch guilder:  
Fl 1 = 0.293884 unit of account;
- (h) for the pound sterling:  
£ 1 = 1.75560 units of account.

2. The new representative rates shall be applicable from:

- (a) 1 August 1976 for eggs, poultry and ovalbumin and lactalbumin;
- (b) 16 December 1976 for wine;
- (c) 1 January 1977 for fishery products;
- (d) the beginning of the 1976/77 marketing year for the other products for which the marketing year has not commenced on the date of entry into force of this Regulation;
- (e) 15 March 1976 in all other cases.

#### *Article 3*

1. Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 <sup>(2)</sup>, as amended by Regulation (EEC) No 3058/75 <sup>(3)</sup>, or in the corresponding Articles of the other Acts concerning agriculture establishing similar procedures or, if necessary, by derogation from the rules governing the fixing of prices laid down in the relevant regulations where and so long as strictly necessary to take account of this Regulation.

2. As regards the amounts fixed in units of account which are not connected with the fixing of prices, the arrangements referred to in paragraph 1 above may consist of an increase of 2.81%.

#### *Article 4*

In Article 2 (1) (b), last subparagraph, of Regulation (EEC) No 974/71, the figure 1.25 is replaced by 1.50 with effect from 15 March 1976.

#### *Article 5*

1. The provisions of Regulation (EEC) No 1134/68 in respect of an alteration of the relationship between

<sup>(2)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(3)</sup> OJ No L 306, 26. 11. 1975, p. 3.

the parity of the currency of a Member State and the value of the unit of account shall apply.

2. However, Article 4 (1), second subparagraph, of Regulation (EEC) No 1134/68 shall apply only if the application of the new representative rates is disadvantageous for the party concerned.

#### *Article 6*

The provisions of Council Regulation (EEC) No 475/75 of 27 February 1975 on the exchange rates to be applied in agriculture, as last amended by Regulation (EEC) No 2638/75 <sup>(1)</sup>, shall cease to be applicable for a given sector on the date on which the provisions of this Regulation become applicable to that sector.

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

Done at Brussels, 15 March 1976.

*For the Council*

*The President*

R. VOUEL

#### *Article 7*

Article 2 of Council Regulation (EEC) No 675/75 of 4 March 1975 fixing for the 1975 harvest the amounts of the premium granted to purchasers of leaf tobacco <sup>(2)</sup> shall be replaced by the following:

‘The exchange rate to be applied to the premiums for the 1975 tobacco harvest shall be:

- as from 1 January 1976 in Germany and in the Benelux countries, the representative rate in force before 3 March 1975,
- in France, the representative rate in force before 15 March 1976.’

#### *Article 8*

This Regulation shall enter into force on 15 March 1976.

<sup>(1)</sup> OJ No L 269, 18. 10. 1975, p. 1.

<sup>(2)</sup> OJ No L 72, 20. 3. 1975, p. 37.

## COUNCIL REGULATION (EEC) No 558/76

of 15 March 1976

fixing certain prices applicable for milk and milk products, beef and veal and pigmeat  
for the 1976/77 marketing year

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 559/76 <sup>(2)</sup>, and in particular Articles 2, 3(4), 5(1) and 12(2) thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(3)</sup>, as last amended by Regulation (EEC) No 568/76 <sup>(4)</sup>, and in particular Article 3(4) thereof,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat <sup>(5)</sup>, as amended by Regulation (EEC) No 367/76 <sup>(6)</sup>, and in particular Article 4(4) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(7)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(8)</sup>,

Whereas the markets and prices policy, based on modernized farms, is the main instrument of the

incomes policy in agriculture; whereas full advantage cannot be drawn from such a policy unless it is integrated into the common agricultural policy as a whole, including a dynamic social and structural policy and the application of the rules on competition in the Treaty;

Whereas the common agricultural prices must be fixed by a method which takes account of objective criteria; whereas, when those prices are fixed, account should also be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are in particular to secure an equitable standard of living for the agricultural community and ensure that supplies are available and that they reach consumers at reasonable prices;

#### Milk and milk products

Whereas the target price for milk should bear a balanced relationship to the prices for other agricultural products and in particular to that for beef and veal, and be consistent with the proposed orientation of cattle farming; whereas it is also necessary, in fixing those prices to take account of the Community's efforts to establish a long-term balance between supply and demand on the market in milk, allowing for external trade in milk and milk products;

Whereas the intervention prices for butter and for skimmed-milk powder are designed to contribute to the achievement of the target price for milk; whereas it is necessary to determine the price levels in the light of both the general state of supply and demand on the Community market in milk and the opportunities for disposal of butter and skimmed-milk powder on the Community and world markets;

Whereas the intervention prices for Grana Padano and Parmigiano Reggiano cheeses must be fixed in accordance with the criteria laid down in Article 5 (2) of Regulation (EEC) No 804/68;

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

<sup>(2)</sup> See page 9 of this Official Journal.

<sup>(3)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(4)</sup> See page 28 of this Official Journal.

<sup>(5)</sup> OJ No L 282, 1. 11. 1975, p. 1.

<sup>(6)</sup> OJ No L 45, 21. 2. 1976, p. 1.

<sup>(7)</sup> OJ No C 53, 8. 3. 1976, p. 24.

<sup>(8)</sup> OJ No C 50, 4. 3. 1976, p. 19.

Whereas only the intervention price for butter in force in the new Member States should be moved towards alignment with the common price in the 1976/77 marketing year, in accordance with Article 52 (2) (a) of the Act of Accession; whereas the effect of the modification in prices would be to disrupt the process of the United Kingdom's integration in the Community; whereas, therefore, it is advisable to limit the alignment of the intervention price for butter obtaining in that Member State, in accordance with Article 52 (3) of the aforesaid Act;

Whereas, in view of the market situation, the target price for milk should be increased in two stages; whereas, consequently, there will be an increase in stages in the intervention price for butter, skimmed-milk powder and for Grana Padano and Parmigiano Reggiano cheeses;

Whereas the advantages resulting from the increase in the intervention prices should be extended to buying-in operations in the framework of interventions carried out between 1 and 14 March 1976 inclusive;

Whereas, as a result of the alteration to the representative rate of the German mark, measures should be taken to prevent a reduction in the intervention price for skimmed-milk powder expressed in national currency;

#### **Beef and veal**

Whereas the guide prices must be fixed in accordance with the criteria laid down in Article 3 (2) of Regulation (EEC) No 805/68;

Whereas, for the 1976/77 marketing year, guide prices should be fixed at a level above that for the previous marketing year;

Whereas, however, in view of the current economic situation in the beef and veal market, it would seem necessary to make provision, in respect of the 1976/77 marketing year, for an intervention price for adult bovine animals fixed at a level below that which would result from the increase of the guide price;

Whereas Article 52 (2) of the Act of Accession provides for annual alignment at the beginning of the marketing year of the prices applied in the new Member States; whereas this provision applies, in respect of beef and veal, to the guide prices for calves and adult bovine animals by virtue of Article 90 of the Act of Accession;

#### **Pigmeat**

Whereas the basic price for slaughtered pigs must be fixed in accordance with the criteria laid down in Article 4 (1) of Regulation (EEC) No 2759/75 for a standard quality defined according to Council Regulation (EEC) No 2760/75 of 29 October 1975 determining the Community scale for grading pig carcasses<sup>(1)</sup>; whereas the most representative class and categories of weight in Community production should be taken as the standard quality;

Whereas an increase in production costs has resulted from certain measures taken in the milk products sector; whereas the basic price should therefore be applied at a date earlier than that laid down in Article 4 (1) of Regulation (EEC) No 2759/75;

Whereas, in respect of all the products referred to in this Regulation, the application of the criteria for the fixing of the different prices and the application of the measures provided for in respect of the exchange rates to be applied in agriculture, entail the fixing of those prices at the levels shown in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

For the 1976/77 marketing year with respect to milk and milk products, beef and veal and pigmeat, certain prices together with certain of the conditions for the application thereof, where appropriate, the period during which certain of the prices shall apply and, where appropriate, the standard quality to which they relate, are fixed in the Annex.

#### *Article 2*

In the case of buying-in operations carried out by the intervention agencies in the milk and milk products sector between 1 and 14 March 1976 inclusive, these bodies shall pay to sellers, in addition to the buying-in price for 1975/76, an amount equal to the difference, expressed in the national currency, between this buying-in price and that for the beginning of the 1976/77 marketing year.

The compensatory amounts fixed in pursuance of Regulation (EEC) No 974/71<sup>(2)</sup>, shall not be affected by the foregoing paragraph.

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 10.

<sup>(2)</sup> OJ No L 106, 12. 5. 1971, p. 1.

*Article 3*

However, in Germany the intervention price for skimmed-milk powder, until 15 September 1976, shall be the price valid in national currency in that Member State before 15 March 1976.

*Article 4*

This Regulation shall enter into force on 15 March 1976.

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

Done at Brussels, 15 March 1976.

*For the Council*

*The President*

R. VOUEL



## ANNEX I

## MILK AND MILK PRODUCTS

|  | units of account per 100 kg from: |                   |
|--|-----------------------------------|-------------------|
|  | 15 March to<br>15 September 1976  | 16 September 1976 |
| (a) Target price for milk                            | 16.29                             | 16.76             |
| (b) Intervention price for:                          |                                   |                   |
| — butter:  |                                   |                   |
| — in Ireland   | 210.35                            | 216.03            |
| — in the United Kingdom                              | 172.36                            | 176.62            |
| — in the other Member States                         | 218.08                            | 223.80            |
| — skimmed-milk powder                                | 90.16                             | 91.37             |
| — Grana Padano cheese:                               |                                   |                   |
| — 30 to 60 days old                                  | 208.91                            | 213.79            |
| — at least six months old                            | 250.69                            | 255.84            |
| — Parmigiano Reggiano cheese at least six months old | 271.81                            | 276.96            |

## ANNEX II

## BEEF AND VEAL

|  | <i>(u.a./100 kg liveweight)</i>   |                        |
|--|-----------------------------------|------------------------|
|  | Ireland and the<br>United Kingdom | Other<br>Member States |
| Guide price for:   |                                   |                        |
| — calves <sup>(1)</sup>  | 128.57                            | 139.04                 |
| — adult bovine animals   | 109.81                            | 118.74                 |
| Intervention price for adult bovine animals <sup>(2)</sup>   | 98.83                             | 106.87                 |
| Price level referred to in the first sentence of Article 6<br>(3) of Regulation (EEC) No 805/68 <sup>(2)</sup> | —                                 | 106.87                 |

<sup>(1)</sup> It is accepted that this price may be deleted within the framework of a new import system for this product.

<sup>(2)</sup> Pursuant to the second subparagraph of Article 6 (4) of Regulation (EEC) No 805/68.

## ANNEX III

## PIGMEAT

|  | units of account<br>per 100 kg | Period of<br>application                                   |
|--|--------------------------------|--|
| Basic price for pig carcasses of standard<br>quality | 114.48                         | From 15 March 1976<br>to<br>31 October 1977 <sup>(1)</sup> |

<sup>(1)</sup> Derogation from Article 4 (1) of Regulation (EEC) No 2759/75.

The standard quality shall be the quality for pig carcasses of Class II of the Community scale for grading pig carcasses laid down by Regulation (EEC) No 2760/75, excluding those carcasses with a weight of less than 70 kg and those with a weight equal to or greater than 160 kg.

## COUNCIL REGULATION (EEC) No 559/76

of 15 March 1976

amending Regulation (EEC) No 804/68 on the common organization of the market  
in milk and milk products

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 the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,Whereas it appears necessary to extend the possibility provided for in Article 12 of Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products <sup>(2)</sup>, as last amended by Regulation (EEC) No 740/75 <sup>(3)</sup>, in respect of surpluses of butterfat, to cases where such a situation occurs or is likely to occur in respect of other milk products;

Whereas, in order further to stimulate the consumption of milk by young people, provision should be made for the Community to defray a part of the expenditure occasioned by granting aid for the free supply of milk to pupils in schools;

Whereas it has been found necessary, in order to facilitate trade, to harmonize the provisions relating to the production and marketing of skimmed-milk powder,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 12 (1) of Regulation (EEC) No 804/68 is amended as follows:

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

Done at Brussels, 15 March 1976.

‘1. When surpluses of milk products build up, or are likely to occur, measures other than those laid down in Articles 6 to 11 may be taken in order to facilitate their disposal or to prevent new surpluses from building up.’

*Article 2*

The following paragraph is added to Article 26 of Regulation (EEC) No 804/68:

‘The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, may decide to make a Community contribution to the financing of programmes as referred to in the preceding paragraph provided they fulfil certain conditions.’

*Article 3*

Article 27 of Regulation (EEC) No 804/68 is amended as follows:

*‘Article 27*

Quality standards for butter and skimmed-milk powder shall be adopted in accordance with the procedure laid down in Article 43 (2) of the Treaty; they shall provide, in particular, for a control stamp on butter reaching certain standards.’

*Article 4*

This Regulation shall enter into force on 15 March 1976.

*For the Council*  
*The President*  
R. VOUEL<sup>(1)</sup> OJ No C 53, 8. 3. 1976, p. 24.<sup>(2)</sup> OJ No L 148, 28. 6. 1968, p. 13.<sup>(3)</sup> OJ No L 74, 22. 3. 1975, p. 1.

## COUNCIL REGULATION (EEC) No 560/76

of 15 March 1976

fixing the threshold prices for certain milk products for the 1976/77 milk year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 4 thereof,

Having regard to the proposal from the Commission,

Whereas threshold prices should be fixed so that, taking account of the protection required for the Community processing industry, the prices of imported milk products correspond to the level of the target price for milk; whereas, consequently, the threshold price should be fixed on the basis of the target price for milk, taking into account the relationship which should be established between the value of milkfat and that of skimmed milk, as well as the standardized costs and yields for each of the milk products in question; whereas a fixed amount should be included to ensure adequate protection of the Community processing industry;

Whereas threshold prices should be fixed for the trading stage at which imported milk products first come into competition with milk products manufactured within the Community, i.e. the 'delivered free wholesaler' stage,

*Article 1*

1. The threshold prices for the 1976/77 milk year shall be as follows:

| <i>pilot product<br/>of the group<br/>of products</i> | <i>units of account per 100 kg</i> |                               |
|---|------------------------------------|-------------------------------|
|   | <i>from<br/>15 March 1976</i>      | <i>from<br/>16 Sept. 1976</i> |
| 1   | 26.00                              | 26.50                         |
| 2   | 105.00                             | 107.50                        |
| 3   | 161.00                             | 165.00                        |
| 4   | 65.25                              | 66.25                         |
| 5   | 85.00                              | 86.25                         |
| 6   | 238.50                             | 244.50                        |
| 7   | 233.36                             | 239.94                        |
| 8   | 192.00                             | 196.50                        |
| 9   | 310.00                             | 316.00                        |
| 10  | 206.00                             | 211.00                        |
| 11  | 189.25                             | 194.00                        |
| 12  | 52.00                              | 53.00                         |

2. The pilot products referred to in paragraph 1 are those described in Annex I to Council Regulation (EEC) No 823/68 of 28 June 1968 determining the groups of products and the special provisions for calculating levies on milk and milk products <sup>(3)</sup>, as last amended by Regulation (EEC) No 561/76 <sup>(4)</sup>.

*Article 2*

This Regulation shall enter into force on 15 March 1976.

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

Done at Brussels, 15 March 1976.

*For the Council*  
*The President*  
R. VOUEL

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

<sup>(2)</sup> See page 9 of this Official Journal.

<sup>(3)</sup> OJ No L 151, 30. 6. 1968, p. 3.

<sup>(4)</sup> See page 11 of this Official Journal.

## COUNCIL REGULATION (EEC) No 561/76

of 15 March 1976

amending Regulation (EEC) No 823/68 as regards the conditions of entry for certain kinds of cheeses falling within certain tariff headings and Regulation (EEC) No 950/68 on the Common Customs Tariff

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 14 (6) thereof,

Having regard to the proposal from the Commission,

Whereas Annex II to Council Regulation (EEC) No 823/68 of 28 June 1968 determining the groups of products and the special provisions for calculating levies on milk and milk products <sup>(3)</sup>, as last amended by Regulation (EEC) No 740/75 <sup>(4)</sup>, lays down certain conditions in respect of the entry into the Community of Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell cheeses falling within subheading 04.04 A I, and also of Cheddar cheese falling within subheading 04.04 E I b) 1 aa) of the Common Customs Tariff; whereas these conditions include in particular observance of free-at-frontier values corresponding to consolidation under GATT; whereas these values must be aligned, respectively, on the Community target prices for milk and on threshold prices of Group No 10 for two periods of the 1976/77 milk year;

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

Done at Brussels, 15 March 1976.

Whereas the tariff nomenclature employed in Annex II to Regulation (EEC) No 823/68 is also that of the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

*Article 1*

The descriptions of goods falling within subheading 04.04 A I as well as subheading 04.04 E I b) 1 aa) of the Common Customs Tariff given in Annex II to Regulation (EEC) No 823/68 shall be replaced:

- with effect from 15 March 1976, by those set out in Annex I to this Regulation,
- with effect from 16 September 1976, by those set out in Annex II to this Regulation.

*Article 2*

The Common Customs Tariff annexed to Regulation (EEC) No 950/68 shall be amended:

- with effect from 15 March 1976: as shown in Annex III to this Regulation,
- with effect from 16 September 1976: as shown in Annex IV to this Regulation.

*Article 3*

This Regulation shall enter into force on 15 March 1976.

*For the Council*

*The President*

R. VOUEL

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

<sup>(2)</sup> See page 9 of this Official Journal.

<sup>(3)</sup> OJ No L 151, 30. 6. 1968, p. 3.

<sup>(4)</sup> OJ No L 74, 22. 3. 1975, p. 1.

## ANNEX I

(applicable with effect from 15 March 1976)

| CCT heading No | Description of goods   |
|----------------|--|
| 04.04          | <p>Cheese and curd:</p> <p>A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered:</p> <p>I. Of a minimum fat content of 45 % by weight, in the dry matter, matured for at least three months <sup>(2)</sup>:</p> <p>a) Whole cheeses <sup>(4)</sup> of a free-at-frontier value <sup>(5)</sup> per 100 kg net weight of:</p> <p>1. 205·86 u.a. (a) or more, but less than 225·86 u.a. (a)</p> <p>2. 225·86 u.a. (a) or more</p> <p>b) Pieces packed in vacuum or in inert gas:</p> <p>1. With rind on at least one side, of a net weight:</p> <p>aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value <sup>(5)</sup> of not less than 225·86 u.a. (a) but less than 253·86 u.a. (a) per 100 kg net weight</p> <p>bb) Of not less than 450 g and of a free-at-frontier value <sup>(5)</sup> of not less than 253·86 u.a. (a) per 100 kg net weight</p> <p>2. Other, of a net weight of not less than 75 g but not more than 250 g <sup>(6)</sup> and of a free-at-frontier value <sup>(5)</sup> of not less than 273·86 u.a. (a) per 100 kg net weight</p> <p>II. (Unchanged)</p> <p>E. (Unchanged)</p> <p>I. (Unchanged)</p> <p>a) (Unchanged)</p> <p>b) (Unchanged)</p> <p>1. Cheddar, including Chester:</p> <p>aa) Whole Cheddar cheeses <sup>(4)</sup>, made from unpasteurized milk, of a minimum fat content of 50 % by weight, in the dry matter, matured for at least nine months and of a free-at-frontier value of not less than 202 u.a. per 100 kg net weight <sup>(2)</sup></p> <p>bb) (Unchanged)</p> |

(a) For imports into the United Kingdom this free-at-frontier value shall be reduced by 2·97 u.a. per 100 kg net weight.

## ANNEX II

(applicable with effect from 16 September 1976)

| CCT heading No | Description of goods  |
|----------------|---|
| 04.04          | <p>Cheese and curd:</p> <p>A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered:</p> <p>I. Of a minimum fat content of 45% by weight, in the dry matter, matured for at least three months <sup>(2)</sup>:</p> <p>a) Whole cheeses <sup>(4)</sup> of a free-at-frontier value <sup>(5)</sup> per 100 kg net weight of:</p> <ol style="list-style-type: none"> <li>1. 212.44 u.a. (a) or more, but less than 232.44 u.a. (a)</li> <li>2. 232.44 u.a. (a) or more</li> </ol> <p>b) Pieces packed in vacuum or in inert gas:</p> <ol style="list-style-type: none"> <li>1. With rind on at least one side, of a net weight: <ol style="list-style-type: none"> <li>aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value <sup>(5)</sup> of not less than 232.44 u.a. (a) but less than 260.44 u.a. (a) per 100 kg net weight</li> <li>bb) Of not less than 450 g and of a free-at-frontier value <sup>(5)</sup> of not less than 260.44 u.a. (a) per 100 kg net weight</li> </ol> </li> <li>2. Other, of a net weight of not less than 75 g but not more than 250 g <sup>(6)</sup> and of a free-at-frontier value <sup>(5)</sup> of not less than 280.44 u.a. (a) per 100 kg net weight</li> </ol> <p>II. (Unchanged)</p> <p>E. (Unchanged)</p> <p>I. (Unchanged)</p> <p>a) (Unchanged)</p> <p>b) (Unchanged)</p> <ol style="list-style-type: none"> <li>1. Cheddar, including Chester: <ol style="list-style-type: none"> <li>aa) Whole Cheddar cheeses <sup>(4)</sup>, made from unpasteurized milk, of a minimum fat content of 50% by weight, in the dry matter, matured for at least nine months and of a free-at-frontier value of not less than 207 u.a. per 100 kg net weight <sup>(2)</sup></li> <li>bb) (Unchanged)</li> </ol> </li> </ol> |

(a) For imports into the United Kingdom this free-at-frontier value shall be reduced by 3.47 u.a. per 100 kg net weight.







## COUNCIL REGULATION (EEC) No 562/76

of 15 March 1976

on the granting of a consumer subsidy for butter

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 559/76<sup>(2)</sup>, and in particular Article 12 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(3)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(4)</sup>,

Whereas Council Regulation (EEC) No 1191/73 of 8 May 1973 laying down general rules for the granting of a consumer subsidy for butter<sup>(5)</sup>, as last amended by Regulation (EEC) No 470/75<sup>(6)</sup>, has authorized the Member States, until the end of the 1975/76 milk year, to grant private ultimate consumers aid for butter up to 45 units of account per 100 kg;

Whereas, in view of the situation in the Community butter market, it would seem appropriate to maintain that measure during the 1976/77 milk year so as to increase the consumption of butter in view of the existing surpluses; whereas, it is necessary to adapt the maximum amount of aid and the system of calculating the aid financed by the Community further to the increase in the price of butter,

*Article 1*

Member States shall to the advantage of private ultimate consumers (from 1 May 1976 until the end of the 1976/77 milk year) be authorized to grant aid for butter. However, this aid shall not exceed 50 units of account per 100 kg.

*Article 2*

Member States shall take the measures appropriate to ensure that the aid is granted only for butter bought for private consumption and that the aid benefits the ultimate consumer through reduction of the final sales price.

*Article 3*

1. Notwithstanding the system referred to in Article 3 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy<sup>(7)</sup>, as last amended by the Act of Accession<sup>(8)</sup>, the Guarantee Section of the European Agricultural Guidance and Guarantee Fund shall contribute:

- for any part of the aid less than or equal to 10 units of account per 100 kg butter: 50%;
- for any part of the aid greater than 10 but less than 35 units of account per 100 kg of butter: 0%;
- for any part of the aid not less than 35 units of account per 100 kg butter: 75%.

2. However, the aid financed by the Community as specified in paragraph 1 shall be limited to butter originating in the Community.

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

<sup>(2)</sup> See page 9 of this Official Journal.

<sup>(3)</sup> OJ No C 53, 8. 3. 1976, p. 24.

<sup>(4)</sup> OJ No C 50, 4. 3. 1976, p. 19.

<sup>(5)</sup> OJ No L 122, 9. 5. 1973, p. 5.

<sup>(6)</sup> OJ No L 52, 28. 2. 1975, p. 19.

<sup>(7)</sup> OJ No L 94, 28. 4. 1970, p. 13.

<sup>(8)</sup> OJ No L 73, 27. 3. 1972, p. 14.

*Article 4*

In Article 1 of Regulation (EEC) No 1191/73 the phrase 'during the 1975/76 milk year' is replaced by the phrase 'until 30 April 1976'.

*Article 5*

This Regulation shall enter into force on 15 March 1976.

Articles 1, 2 and 3 shall apply as from 1 May 1976.

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

Done at Brussels, 15 March 1976.

*For the Council*

*The President*

R. VOUEL

---

## COUNCIL REGULATION (EEC) No 563/76

of 15 March 1976

on the compulsory purchase of skimmed-milk powder held by intervention agencies  
for use in feedingstuffs

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 729/70 of 21 April 1970 on the financing of the common agricultural policy<sup>(1)</sup>, as last amended by the Act of Accession<sup>(2)</sup>, and in particular Article 3 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(3)</sup>,

Whereas stocks of skimmed-milk powder bought in by intervention agencies pursuant to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(4)</sup>, as last amended by Regulation (EEC) No 559/76<sup>(5)</sup>, have reached considerable proportions; whereas the stocks available represent an important source of protein which can be used in feedingstuffs;

Whereas in order to increase utilization of this protein in feedingstuffs for animals other than calves, provision should be made for the compulsory purchase of a certain quantity of skimmed-milk powder which has been denatured to prevent its being used for purposes other than those intended;

Whereas these measures may be made effective by making the granting of aid provided for under Council Regulation No 136/66/EEC of 22 September 1966 on the common organization of the market in oils and fats<sup>(6)</sup>, as last amended by Regulation (EEC)

No 1707/73<sup>(7)</sup>, under Council Regulation (EEC) No 1900/74 of 15 July 1974 laying down special measures for soya beans<sup>(8)</sup>, under Council Regulation (EEC) No 569/76 of 15 March 1976 laying down special measures for linseed<sup>(9)</sup>, and under Council Regulation (EEC) No 1067/74 of 30 April 1974 on the common organization of the market in dehydrated fodder<sup>(10)</sup>, as amended by Regulation (EEC) No 1420/75<sup>(11)</sup>, conditional on the prior purchase of a certain quantity of denatured skimmed-milk powder or on the provision of a security for such purchase;

Whereas imported products should be subject to the same obligation by means of the issue of special certificates accompanied by a security; whereas to avoid speculative action, the import of certain compound feedingstuffs should likewise be subject to this obligation;

Whereas in view of the amount of the stocks, their constant growth and the resulting costs, if the steps taken are to be effective they must be implemented at the earliest possible moment and their application to transactions already undertaken in the context of long-term contracts ensured; whereas the objectives of these arrangements are best met by passing on the burden of these measures to the successive buyers while sharing it more equitably among all the operators;

Whereas, since the security provided for is intended to cover obligations the financial burden of which falls to the Guarantee Section of the European Agricultural Guidance and Guarantee Fund, such amounts of security as are not released should be used to offset any expenditure incurred pursuant to Regulation (EEC) No 729/70,

<sup>(1)</sup> OJ No L 94, 28. 4. 1970, p. 13.

<sup>(2)</sup> OJ No L 73, 27. 3. 1972, p. 14.

<sup>(3)</sup> OJ No C 53, 8. 3. 1976, p. 24.

<sup>(4)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(5)</sup> See page 9 of this Official Journal.

<sup>(6)</sup> OJ No 172, 30. 9. 1966, p. 3025/66.

<sup>(7)</sup> OJ No L 175, 29. 6. 1973, p. 5.

<sup>(8)</sup> OJ No L 201, 23. 7. 1974, p. 5.

<sup>(9)</sup> See page 29 of this Official Journal.

<sup>(10)</sup> OJ No L 120, 1. 5. 1974, p. 2.

<sup>(11)</sup> OJ No L 141, 3. 6. 1975, p. 1.

HAS ADOPTED THIS REGULATION:

*Article 1*

1. An obligation to purchase skimmed-milk powder held by intervention agencies for use in feedingstuffs for animals other than young calves is hereby established.
2. Skimmed-milk powder sold pursuant to this Regulation shall not be eligible for aid under Article 10 of Regulation (EEC) No 804/68.

*Article 2*

The granting of aid:

- (a) for colza, rape and sunflower seeds,
- (b) for linseed and soya beans,
- (c) for the products referred to under Article 1 (b) of Regulation (EEC) No 1067/74,

shall be subject to the provision of a security, or the presentation of the document referred to in Article 6.

*Article 3*

1. Free circulation in the Community of:
  - (a) products coming under subheading ex 12.01 B of the Common Customs Tariff, with the exception of castor-oil seeds,
  - (b) products coming under heading No ex 12.02 of the Common Customs Tariff, with the exception of castor-oil flour or meal,
  - (c) products coming under subheadings ex 23.03 A II and 23.04 B of the Common Customs Tariff, with the exception of castor-oil cakes,
  - (d) products coming under subheadings ex 23.07 B and C of the Common Customs Tariff,
  - (e) products coming under subheading ex 12.10 B of the Common Customs Tariff,

shall be subject to the presentation of a 'protein certificate'.

2. The 'protein certificate' shall be issued by Member States to any applicant irrespective of the place of his establishment in the Community. The issue of a 'protein certificate' shall be conditional on the provision of a security or the submission of the document referred to in Article 6,

*Article 4*

The security referred to in Articles 2 and 3, the amount of which may differ depending on the product, shall be released upon production within a period to be specified, of proof of the purchase of a certain quantity of powdered skimmed milk from an intervention agency and proof of its denaturation.

The security may also be released in specific cases, particularly in the case of certain products intended for uses to be specified.

*Article 5*

In the case of contracts concluded before the date of entry into force of this Regulation, the successive buyers of the products referred to in Articles 2 and 3, or of protein products processed therefrom, shall bear the burden of the costs arising under the arrangements laid down in this Regulation.

*Article 6*

Proof of the purchase and the denaturation of the skimmed-milk powder shall be provided by the production of a document, of standard Community form, made out by the competent authority of the Member State who is responsible for the denaturation pursuant to Article 8.

*Article 7*

The selling prices of skimmed-milk powder shall be fixed to take account in particular of the non-application of the aid system provided for in Article 10 of Regulation (EEC) No 804/68.

*Article 8*

1. Denaturation of skimmed-milk powder shall be supervised by the competent authority of the Member State within the territory of which denaturation is carried out.

2. It may be laid down that, in cases to be defined, denaturation shall be carried out by direct incorporation of skimmed-milk powder into an animal feedingstuff having a composition to be specified, provided that:

- the principle of equality of treatment between undertakings is not thereby infringed,
- undertakings carrying out such incorporation provide adequate guarantees as regards the supervision of their operations.

3. The necessary measures shall be laid down to enable intervention agencies to replenish their stocks of skimmed-milk powder if necessary. The intervention agencies which have such stocks available shall provide transport for that purpose.

#### Article 9

1. Detailed rules for the application of the above Articles shall be adopted in accordance with the procedures laid down in Article 38 of Regulation No 136/66/EEC or in the corresponding Articles of Regulations on the common organization of the markets in other sectors. These rules shall take account of the need to provide effective supervision of the system.

2. In the event of difficulties arising with respect to the implementation of the above Articles, the Council may, acting by a qualified majority on a proposal from the Commission, derogate from Articles 2 to 8 in so far as necessary.

#### Article 10

1. The intervention agencies holding the products referred to in Article 8 (3) shall enter the quantities of skimmed-milk powder transferred as having zero value on the account referred to in Article 3 (2) (b) of Regulation (EEC) No 2306/70 <sup>(1)</sup>.

The intervention agencies taking delivery pursuant to Article 8 (3) shall enter the quantities of skimmed-milk powder of which they have taken delivery at zero value on the account referred to in the first subparagraph.

The transport costs borne by the intervention agencies in respect of Article 8 (3) shall be entered in the account referred to in Article 3 (2) (b) of Regulation (EEC) No 2306/70.

2. Any security forfeited shall be used to offset the intervention expenditure for which no unit amount is fixed under Regulation (EEC) No 804/68.

3. Detailed rules for the application of this Article may be adopted in accordance with the procedure provided for in Article 13 of Regulation (EEC) No 729/70.

#### Article 11

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

This Regulation shall apply from 1 April 1976, with the exception of Articles 3 (1) and 5, in so far as it concerns the costs arising from the implementation of Article 3 (1), both of which shall apply from 19 March 1976.

Pending adoption of implementing rules on the matter, Member States shall take the necessary steps to ensure that clearance is not given for products which have been declared for the purposes of being put into free circulation, unless the person concerned gives a commitment accompanied by a security guaranteeing that these provisions will be respected.

This Regulation shall apply to the products referred to in Article 2 in respect of which a deposit has been lodged or the document referred to in Article 6 has been submitted before 31 October 1976, and to those products referred to in Article 3, which have been imported before that date.

However, the Council, acting by qualified majority on a proposal by the Commission, may, if the objective of a considerable reduction in existing stocks of skimmed-milk powder has not been achieved by that date, decide to extend the system referred to above for the period of time necessary to achieve this aim.

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

Done at Brussels, 15 March 1976.

*For the Council*

*The President*

R. VOUEL

<sup>(1)</sup> OJ No L 249, 17. 11. 1970, p. 4.

## COUNCIL REGULATION (EEC) No 564/76

of 15 March 1976

repealing Regulation (EEC) No 155/75 on the sale of skimmed-milk powder from public stocks for supply to developing countries

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 7 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 155/75 <sup>(3)</sup>, as amended by Regulation (EEC) No 1960/75 <sup>(4)</sup>, provides for the sale at a reduced price of skimmed-milk powder from public stocks for supply to developing countries;

whereas the quantities of skimmed-milk powder which may be supplied to these countries as food aid have been considerably increased; whereas the sales provided for in Regulation (EEC) No 155/75 should therefore cease,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 155/75 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 1 April 1976.

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

Done at Brussels, 15 March 1976.

*For the Council**The President*

R. VOUEL

---

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

<sup>(2)</sup> See page 9 of this Official Journal.

<sup>(3)</sup> OJ No L 19, 24. 1. 1975, p. 3.

<sup>(4)</sup> OJ No L 200, 31. 7. 1975, p. 5.

## COUNCIL REGULATION (EEC) No 565/76

of 15 March 1976

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

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 Article 2a (3) of 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 feedingstuffs <sup>(3)</sup>, as last amended by Regulation (EEC) No 472/75 <sup>(4)</sup>, lays down a margin within which the aid for skimmed-milk

powder may be fixed; whereas, in view of the criteria set out in the first paragraph of that Article, the limits of this margin should be increased,

HAS ADOPTED THIS REGULATION:

*Article 1*

The text of the first subparagraph of Article 2a (3) of Regulation (EEC) No 986/68 is replaced by the following:

‘Aid for skimmed-milk powder shall be minimum 33 and maximum 43 units of account per 100 kg.’

*Article 2*

This Regulation shall enter into force on 15 March 1976.

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

Done at Brussels, 15 March 1976.

*For the Council**The President*

R. VOUEL

---

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

<sup>(2)</sup> See page 9 of this Official Journal.

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

<sup>(4)</sup> OJ No L 52, 28. 2. 1975, p. 22.



## COUNCIL REGULATION (EEC) No 566/76

of 15 March 1976

amending Regulation (EEC) No 1411/71 as regards the fat content of whole milk

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Whereas according to the second indent of Article 3 (1) (b) and Article 6 (1) of Council Regulation (EEC) No 1411/71 of 29 June 1971 laying down additional rules on the common organization of the market in milk and milk products for products falling within tariff heading No 04.01 <sup>(2)</sup>, as last amended by Regulation (EEC) No 3358/75 <sup>(3)</sup>, only milk with a fat content of at least 3.5% shall be sold in the Community as whole drinking milk; whereas pursuant to Article 6 (2) of that Regulation Member States may maintain, until 31 March 1976, the provisions applicable within their territories at the date of entry into force of the said Regulation;

Whereas certain new Member States have encountered difficulties in implementing within their territories the provisions laid down before their accession to the Community since processing and distribution methods are different and consumers are unaccustomed to the purchase of standardized whole milk; whereas the system applied in these countries on the whole ensures that the fat content of whole milk sold to consumers is equal to that laid down and even exceeds it;

Whereas, therefore, the provisions designed for the Community as a whole should not be imposed on the Member States in question provided that trade

between Member States is impeded as little as possible; whereas the system in operation should, after a certain period, be reviewed in the light of experience,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 1 April 1976, the second indent of Article 3 (1) (b) of Regulation (EEC) No 1411/71 is replaced by the following:

— whole milk: milk which has been subjected to at least one heat treatment or an authorized treatment of equivalent effect by a milk processor, and with respect to fat content meets one of the following requirements:

standardized whole milk:

milk with a fat content of at least 3.50%;

non-standardized whole milk:

milk with a fat content that has not been altered since the milking stage either by the addition or separation of milk fats or by mixture with milk, the natural fat content of which has been altered. However, the fat content may not be less than 3.0%.

*Article 2*

As from 1 April 1976, paragraph 4 of Article 3 of Regulation (EEC) No 1411/71 is replaced by the following paragraphs:

4. Notwithstanding the provisions of the second indent of paragraph 1 (b) with regard to the fat content laid down for non-standardized whole milk, if the fat content laid down for drinking milk is not present naturally, it may be obtained only by adding or separating milk or cream or by adding skimmed or semi-skimmed milk. No other alteration in the composition of drinking milk shall be authorized.

<sup>(1)</sup> Opinion delivered on 12 March 1976 (not yet published in the Official Journal).

<sup>(2)</sup> OJ No L 148, 3. 7. 1971, p. 4.

<sup>(3)</sup> OJ No L 330, 24. 12. 1975, p. 45.

5. With regard to whole milk, Member States shall apply within their territories, as from 1 October 1976 at the latest, one of the two formulae set forth in the second indent of paragraph 1 (b). They shall decide on the formula for their territory by 1 July 1976 and shall inform the Commission accordingly on or before that date.

6. As from 1 October 1976, a Member State that opts for the formula of non-standardized whole milk shall not prohibit, without prejudice to requirements for the protection of public health:

- (a) the preparation within its territory of standardized whole milk for sale within the territory of another Member State which has opted for the latter formula;
- (b) the marketing within its territory of standardized whole milk coming from another Member State, when the fat content of such milk is not less than a guideline figure fixed by the Council acting on a proposal from the Commission in accordance with the voting procedure laid down in Article 43 (2) of the Treaty.

7. The guideline figure in paragraph 6 (b) shall be fixed by 1 January of each year for the following milk year. However, it shall be fixed in 1976 for the period from 1 October 1976 until the end of the 1976/77 milk year.

The guideline figure shall be fixed for each Member State which opts for the formula of non-standardized whole milk; it shall be the weighted average fat content of the whole milk produced and marketed in the Member State in question during the previous year.

8. The Commission shall submit to the Council by 1 March 1973 a report on the ways in which the second indent of paragraph 1 (b) and paragraphs 5 to 7 have been applied and shall propose such amendments to the system as may be required in the light of experience.'

#### *Article 3*

1. As from 1 April 1976, the date '31 March 1976' in Article 6 (2) of Regulation (EEC) No 1411/71 shall be replaced by '30 September 1976'.
2. As from 1 October 1976, in Article 6 of Regulation (EEC) No 1411/71:
  - paragraph 2 is deleted and the present paragraph 1a becomes paragraph 2;
  - the words 'whole milk' wherever they appear in paragraph 3 are replaced by the words 'standardized whole milk'.

#### *Article 4*

This Regulation shall enter into force on 1 April 1976.

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

Done at Brussels, 15 March 1976.

*For the Council*

*The President*

R. VOUEL

**COUNCIL REGULATION (EEC) No 567/76**

of 15 March 1976

laying down general rules governing the distillation of table wines for which the  
distillation contract must be approved before 15 April 1976

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine <sup>(1)</sup>, as last amended by Regulation (EEC) No 1932/75 <sup>(2)</sup>, and in particular Article 7 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Article 7 of Regulation (EEC) No 816/70 provides that measures may be adopted for the distillation of table wines if the granting of aid for private storage alone is unlikely to be effective in restoring price levels;

Whereas aid for the private storage of table wines is at present granted for all types of table wines; whereas the prices for most of these wines are below the activating price;

Whereas the possibility of concluding nine-month storage contracts for table wines of types R I, R II and A I during the period 16 December 1975 to 15 February 1976 has still not brought about any substantial restoration of price levels;

Whereas the harvest for the current year and the large stocks from the previous year have yielded supplies in excess of the normal requirements of this wine marketing year;

Whereas the conditions for the commencement of a distillation operation are fulfilled;

Whereas it is necessary to lay down the conditions under which this operation should take place; whereas the price for wines to be distilled should not act as an encouragement to the production of wines primarily for the purpose of distillation, but should nevertheless be sufficiently attractive for the operation to be effective;

Whereas it is necessary to provide for a mechanism to enable, in particular, part of the purchase price to be paid immediately in order to encourage producers who wish to have their wine distilled to take a decision;

Whereas it is necessary to provide the possibility for producers who have entered into a distillation contract to renounce this where the market situation enables wine producers to obtain better returns;

Whereas, in order to limit the scope of the measure, its duration should be restricted;

Whereas the prices for wines to be distilled will not permit the products thereby obtained to be marketed on normal terms; whereas aid should therefore be paid and its amount determined, taking account of normal costs, at a level which will make it possible to market the products of distillation;

Whereas in each Member State concerned there must be a body responsible for applying the provisions in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Producers who wish to have all or part of their harvest of table wine distilled shall conclude revocable delivery contracts with the distillers of their choice before 31 March 1976.

<sup>(1)</sup> OJ No L 99, 5. 5. 1970, p. 1.

<sup>(2)</sup> OJ No L 198, 29. 7. 1975, p. 19.

These contracts shall be valid only if they are approved by the intervention agency before 15 April 1976.

2. Under such contracts:

- (a) the distiller shall purchase the quantity of table wine stated in the contract;
- (b) the distiller shall distil such wine and shall pay for it at a price which shall not be less than the price referred to in Article 2.

3. The contracts shall specify:

- (a) the quantity, colour and actual alcoholic strength of the table wines to be distilled;
- (b) the name and address of the producer;
- (c) the place at which the wine is stored;
- (d) the name of the distiller or the registered business or company name of the distillery;
- (e) the address of the distillery.

#### Article 2

1. The minimum buying-in price for table wines to be distilled is fixed at 1.40 units of account per degree and per hectolitre.

2. The price referred to shall apply in respect of an unaltered product, ex-producer's premises.

3. Within 15 days of approval the intervention agency shall pay to the producer 40% of the buying-in price of the quantity of wine indicated in the approved contract referred to in Article 1 (1), to be deducted from the aid provided for in Article 6 (2).

4. When the quantity of wine indicated in the contract referred to in Article 1 (1) reaches the distillery, the latter shall pay to the producer the difference between the minimum buying-in price referred to in paragraph 1 and the aid referred to in Article 6 (2).

5. When the conditions laid down in Article 6 (3) are fulfilled, the intervention agency shall pay to the producer the difference between the aid referred to in Article 6 (2) and the amount referred to in paragraph 3 of this Article.

6. The Member States may decide that the payment referred to in paragraph 3 shall be made by the distiller.

#### Article 3

Distillation may not take place before 1 April or after 31 July 1976.

#### Article 4

If the weighted average price of table wines of type A I for a certain number of quotations exceeding 50% of the quantities quoted is higher than 90% of the activating price, it may be decided that distillation contracts or a part of these may be annulled on request. Annulment of contracts shall be permissible only in cases where the amount paid by the intervention agency and referred to in Article 2 (3) is refunded.

#### Article 5

Products of the distillation of table wines may have an alcoholic strength:

— of 86° or more,

— of 85° or less,

with a tolerance of 0.4% above or below.

#### Article 6

1. For each hectolitre of distilled wine aid shall be paid by the intervention agency of the Member State where distillation took place.

2. The amount of aid is hereby fixed at:

— 0.95 unit of account per degree and per hectolitre if the wine was processed into a product referred to in Article 5, first indent;

— 0.81 unit of account per degree and per hectolitre if the wine was processed into a product referred to in Article 5, second indent.

3. Without prejudice to Article 4, the difference referred to in Article 2 (5) shall be paid when proof has been furnished that the full amount of the wine indicated in the contract has been distilled.

4. Where a Member State has exercised the option provided for in Article 2 (b), the amount paid to the producer by the distiller shall be refunded to the distiller by the intervention agency at the same time as the amount referred to in paragraph 5 of that Article is paid to the producer.

#### Article 7

1. Member States shall designate an intervention agency to be responsible for applying this Regulation.

2. The competent intervention agency shall be the agency of the State in whose territory distillation takes place.

*Article 8*

1. The measure provided for in this Regulation shall constitute intervention within the meaning of Article 3 (1) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy <sup>(1)</sup>, as last amended by Council Regulation (EEC) No 2788/72 <sup>(2)</sup>.

2. The detailed rules for the financing of the measures provided for in this Regulation shall be

adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

*Article 9*

This Regulation shall enter into force on the day of 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, 15 March 1976.

*For the Council*

*The President*

R. VOUEL

---

<sup>(1)</sup> OJ No L 94, 28. 4. 1970, p. 13.

<sup>(2)</sup> OJ No L 295, 30. 12. 1972, p. 1.

## COUNCIL REGULATION (EEC) No 568/76

of 15 March 1976

amending Regulation (EEC) No 805/68 on the common organization of the market  
in beef and veal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Whereas Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(2)</sup>, as last amended by Regulation (EEC) No 1855/74 <sup>(3)</sup>, lays down intervention arrangements including the compulsory buying-in of beef and veal meeting certain quality requirements; whereas, in the light of recent experience, it seems appropriate to provide for the possibility of suspending the intervention measures in regions where prices are relatively high, in order to avoid production for intervention purposes;

Whereas Article 18 of Regulation (EEC) No 805/68 provides for the possibility of granting of an export refund; whereas experience has shown that the measures taken do not always give the trade the certainty as regards amounts and periods of validity of the refunds that it requires; whereas provision should therefore be made to allow refunds to be fixed in advance,

*Article 1*

The following paragraph shall be inserted in Article 6 of Regulation (EEC) No 805/68:

'3a. However, if during the 1976/1977 marketing year the price recorded in accordance with the preceding paragraphs on the representative markets of a Member State or of a region within a Member State is equal to or more than 95% of the guide price during a given period, the intervention measures referred to in paragraphs 1 and 3 may be partially or totally suspended in the Member State or region concerned.'

*Article 2*

Article 18 (4) of Regulation (EEC) No 805/68 shall be replaced by the following:

'4. The Council, acting on a proposal from the Commission in accordance with the voting procedure laid down in Article 43 (2) of the Treaty, shall adopt general rules for the granting and advance fixing of export refunds and lay down criteria for fixing the amount of such refunds.'

*Article 3*

This Regulation shall enter into force on 15 March 1976.

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

Done at Brussels, 15 March 1976.

*For the Council*

*The President*

R. VOUEL

<sup>(1)</sup> OJ No C 23, 8. 3. 1974, p. 36.

<sup>(2)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(3)</sup> OJ No L 195, 18. 7. 1974, p. 14.

## COUNCIL REGULATION (EEC) No 569/76

of 15 March 1976

laying down special measures for linseed

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 the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(2)</sup>,

Whereas the production of linseed is becoming of increasing interest to the Community; whereas, in order to promote the development of this production, which is subjected to direct competition from linseed imported from third countries duty free, provision should be made for appropriate measures of support;

Whereas to this end the marketing of Community crops must ensure producers a fair income, the level of which may be defined by a guide price; whereas the difference between this price and the price ascertained for linseed on the world market corresponds to the amount of the subsidy which should be granted in order to achieve the desired objective ;

Whereas provision should be made to ensure that expenditure incurred by Member States as a result of the obligations arising out of the application of this Regulation becomes a charge on the Community in accordance with the regulations on the financing of the common agricultural policy,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Each year before 1 August, a guide price for linseed falling within Common Customs Tariff

heading No 12.01 shall be fixed for the Community for the marketing year beginning in the following calendar year, in accordance with the procedure laid down in Article 43 (2) of the Treaty. This price shall be fixed at a level which is fair to producers, account being taken of the supply requirements of the Community.

However, the 1976/77 guide price shall be fixed before 1 August 1976.

2. The guide price shall continue to apply throughout the marketing year in question; this shall cover the period 1 August to 31 July.

3. The guide price shall relate to a standard quality. This quality shall be determined by the Council in accordance with the procedure referred to in paragraph 1.

*Article 2*

1. When the guide price valid for a marketing year is higher than the average world market price for linseed, a subsidy equal to the difference between these two prices shall be granted for linseed harvested in the Community.

2. The subsidy shall be granted for a production figure obtained by applying an indicative yield to the surface areas sown and harvested. The indicative yield may be differentiated, taking into account the characteristics of the flax produced and the yield ascertained in the major producing areas in the Community.

However, if for the 1976/77 marketing year, as a result of the application of the above subparagraph, the amount of aid for flax grown mainly for seed is less than 125 u.a. per hectare of area sown and harvested, the amount of aid to be granted shall be fixed at 125 u.a. per hectare.

3. The Council, acting by qualified majority on a proposal from the Commission, shall lay down:

(a) the criteria for the determination of the average world market price;

<sup>(1)</sup> OJ No C 53 8. 3. 1976, p. 24.

<sup>(2)</sup> OJ No C 50 4. 3. 1976, p. 19.

(b) the general rules according to which the subsidy shall be granted, as well as those concerning the checking of areas sown and harvested within the Community with a view to establishing eligibility for the subsidy.

4. The following shall be determined in accordance with the procedure set out in Article 38 of Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats <sup>(1)</sup>:

- (a) the average world market price;
- (b) detailed rules for the application of the present Article.

*Article 3*

Member States and the Commission shall communicate to each other the information

necessary for the application of this Regulation. This information shall be decided upon in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC. Detailed rules concerning the communication and dissemination of this information shall be adopted in accordance with the same procedure.

*Article 4*

The provisions on the financing of the common agricultural policy shall apply to the subsidy system provided for in this Regulation.

*Article 5*

This Regulation shall enter into force on the day of 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, 15 March 1976.

*For the Council*

*The President*

R. VOUEL

---

<sup>(1)</sup> OJ No 172, 30. 9. 1966, p. 3025/66.