

REGULATION (EEC) No 1386/70 OF THE COUNCIL

of 13 July 1970

amending Regulation (EEC) No 1975/69 introducing a system of premiums for slaughtering cows and for withholding milk and milk products from the market

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 805 68¹ of 27 June 1968 on the common organization of the market in beef and veal, as amended by Regulations (EEC) No 2463/69² and (EEC) No 1253/70³, and in particular Article 2 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas Article 5 of Council Regulation (EEC) No 1975/69⁴ of 6 October 1969 introducing a system of premiums for slaughtering cows and for withholding milk and milk products from the market provides for a premium to be granted, under certain conditions, for withholding milk and milk products from the market; whereas experience has shown that certain conditions governing the granting of that premium need to be re-defined, particularly in cases where the farm is not managed by the person claiming the premium during the whole of the period over which the premium is paid and where, owing to circumstances which are beyond the control of the claimant, the latter is unable to fulfil his undertakings;

Whereas it seems fair to allow those who have already been granted premiums to benefit, on application, from the provisions laid down in this Regulation,

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

Done at Brussels, 13 July 1970.

¹ OJ No L 148, 28.6.1968, p. 24.

² OJ No L 312, 12.12.1969, p. 3.

³ OJ No L 143, 1.7.1970, p. 1.

⁴ OJ No L 252, 8.10.1969, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be substituted for Article 5 of Regulation (EEC) No 1975/69:

Article 5

1. Farmers having more than 10 dairy cows may, on application, receive a premium for withholding milk and milk products from the market, under the conditions laid down below.

2. Any successor to the farm may assume the undertakings of his predecessor. In this case the latter shall keep the instalments already paid and the balance of the premiums shall be paid to his successor.

Article 2

The following provisions shall be substituted for Article 9 (d) and (e) of Regulation (EEC) No 1975/69:

- (d) detailed rules for verifying the fulfilment of undertakings and for payment of the premium,
- (e) cases of *force majeure* which permit cancellation or suspension of the undertakings of the party concerned, and
- (f) other detailed rules for the application of the preceding Articles.

Article 3

On application by the party concerned, the provisions of this Regulation shall be applied to the premiums granted before the date of entry into force of this Regulation.

Article 4

This Regulation shall enter into force on 1 August 1970.

For the Council

The President

J. ERTL