

REGULATION (EEC) No 1135/68 OF THE COUNCIL

of 30 July 1968

on the financing of intervention expenditure in respect of the internal market in milk and milk products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 17/64/EEC¹ of 5 February 1964 on the conditions for granting aid from the European Agricultural Guidance and Guarantee Fund, as last amended by Council Regulation No 741/67/EEC² of 24 October 1967, and Council Regulation (EEC) No 347/68³ of 27 March 1968 and in particular Article 6 thereof;

Having regard to the proposal from the Commission;

Whereas the conditions for granting aid from the Fund should be determined for Community financing of intervention expenditure in each sector of the common organization of the markets; whereas in respect of milk and milk products, Article 21 of Council Regulation No 13/64/EEC⁴ of 5 February on the progressive establishment of a common organization of the market in milk and milk products laid down an intervention system for frozen butter and cream; whereas this system applies from 1 November 1964 to 28 July 1968;

Whereas the expenditure incurred by the storage of butter and cream which was the subject of intervention measures in accordance with Article 21 (2) and (3) of Regulation No 13/64/EEC meets the conditions laid down in Article 6(1) of Regulation No 17/64/EEC; whereas the costs resulting from the special measures for the sale of the butter in question also meet these conditions since the amounts per metric ton and the quantities concerned are within the limits fixed by the Community rules which laid down those measures;

Whereas costs incurred by the storage of butter and cream should be determined in a uniform manner for all Member States; whereas these costs may easily be determined by reference to the number of metric ton/day units of stored butter and to a uniform rate of costs per

metric ton per day which is representative of costs in the Community; whereas this rate may be fixed at a flat rate of 1 unit of account;

Whereas the amounts thus determined should not exceed the amount of the actual costs borne by Member States in respect of the various transactions necessitated by their intervention and carried out according to the common rules;

Whereas, however, in view of the considerable delay in the establishment of conditions of eligibility in this sector and the need to respect the time limits for aid from the Fund as laid down in Council Regulation No 741/67/EEC⁵ of 24 October 1967 on aid from the EAGGF, Guarantee Section, final standard amounts should be allocated for each Member State for the 1964/65, 1965/66 and 1966/67 accounting periods, calculated in accordance with the criteria used on the basis of information currently available and taking account of the fact that the cold-store entry costs for butter in store on 1 November 1964 must be excluded from expenditure to be borne by the Fund;

Whereas the provisions of this Regulation comply with the intervention system established in Article 21 of Regulation No 13/64/EEC; whereas application of this Regulation should be limited to the period from 1 November 1964 to 28 July 1968,

HAS ADOPTED THIS REGULATION:

Article 1

For the transitional period of the common organization of the market in milk and milk products, from 1 November 1964 to 28 July 1968, the following shall be eligible for aid from the Fund, pursuant to Article 6 (1) of Regulation No 17/64/EEC, in the conditions laid down in this Regulation:

1. With regard to intervention in the market in butter, in accordance with the provisions of Article 21 (2) of Regulation No 13/64/EEC:
 - (a) expenditure incurred by storage;

¹ OJ No 34, 27.2.1964, p. 580/64,

² OJ No 258, 25.10.1967, p. 2.

³ OJ No L 76, 28.3.1968, p. 1.

⁴ OJ No 34, 27.2.1964, p. 549/64.

⁵ OJ No 258, 25.10.1967, p. 2.

- (b) expenditure incurred by the special measures for the disposal of stocks applied under Article 7 of Council Regulation No 62/64/EEC¹ of 3 June 1964 on the definition of principles concerning intervention in the market in butter;

2. With regard to intervention in the market in butter and cream, in accordance with the provisions of Article 21 (3) of Regulation No 13/64/EEC:

- (a) expenditure corresponding to aid granted for the storage of butter or cream;
- (b) aid granted to facilitate disposal of these stocks under authorizations granted pursuant to Article 23 of Regulation No 13/64/EEC.

TITLE I

1964/65, 1965/66, 1966/67 accounting periods

Article 2

In respect of the 1964/65 accounting period, the Fund shall reimburse Member States an amount of 4.42 million units of account, as follows:

0.27 million u.a. to Belgium,
1.90 million u.a. to Germany,
1.77 million u.a. to France,
0.48 million u.a. to the Netherlands.

Article 3

In respect of the 1965/66 accounting period, the Fund shall reimburse Member States an amount of 32.31 million units of account, as follows:

4.34 million u.a. to Belgium,
13.29 million u.a. to Germany,
10.79 million u.a. to France,
3.89 million u.a. to the Netherlands.

Article 4

In respect of the 1966/67 accounting period, the Fund shall reimburse Member States an amount of 36.95 million units of account, as follows:

5.06 million u.a. to Belgium,
17.68 million u.a. to Germany,
10.98 million u.a. to France,
3.23 million u.a. to the Netherlands.

TITLE II

1967/68 accounting period

Article 5

1. The amounts of the expenditure referred to in Article 1 (1) (a) and (2) (a) eligible in respect of the 1967/68 accounting period shall be calculated for each Member State and for each of the two types of intervention by multiplying the total number of metric ton/day units of storage from 1 April 1967 to 28 July 1968 by the rate of costs for 1 unit of account per day.

The number of metric ton/day units of storage shall be calculated for each type of intervention by taking into consideration the net intake and withdrawals per fortnight. Furthermore, to determine the number of metric ton/day units of storage of cream, the quantities of cream shall be expressed as the equivalent amount of butter by multiplying the quantity of fat content in the cream by 1.18.

2. However, the eligible amounts of the expenditure referred to in Article 1 (1) (a) and (2) (a) may not exceed the amount of actual expenditure incurred by the Member State in respect of the intervention referred to in those provisions during the period from 1 April 1967 to 28 July 1968.

3. The number of metric ton/day units of storage referred to in paragraph 1 shall be calculated by the method adopted in accordance with the procedure laid down in Article 26 of Regulation No 17/64/EEC.

Article 6

The eligible amount of the expenditure referred to in Article 1 (1) (b) in respect of the 1967/68 accounting period shall be calculated by multiplying the quantities which have been the subject of special measures applied during the period from 1 July 1967 to 28 July 1968, by rates equal to the difference between:

- on the one hand, the price delivered wholesale in the Member State, determined according to Article 2 of Commission Regulation No 192/64/EEC² of 21 December 1964 on detailed rules for intervention on the market in butter, ruling on the date of withdrawal, reduced by an amount corresponding to the period during which the butter withdrawn has been stored, as laid down in Article 12 of that Regulation;
- and on the other hand, the ex-cold-store selling price ruling in the Member State within the limits of the authorization.

Article 7

The eligible amount of the expenditure referred to in Article 1 (2) (b) in respect of the 1967/68 accounting

¹ OJ No 92, 10.6. 1964, p. 1412/64.

² OJ No 215, 27.12. 1964, p. 3652/64.

period shall be calculated by aggregating the aid granted within the limits of authorizations granted for the special measures implemented during the period from 1 July 1967 to 28 July 1968.

Article 8

This Regulation shall enter into force on the third day following 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, 30 July 1968.

For the Council

The President

G. MEDICI