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## REGULATION (EEC) No 2640/70 OF THE COMMISSION

of 28 December 1970

amending Regulation (EEC) No 756/70 and (EEC) No 1680/70 on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68<sup>1</sup> of 27 June 1968 on the common organisation of the market in milk and milk products, as last amended by Regulation (EEC) No 1253/70,<sup>2</sup> and in particular Article 7 (5) and Article 11 (3) thereof;

Whereas Article 4 of Council Regulation (EEC) No 1222/70<sup>3</sup> of 29 June 1970 fixing, for the 1970/71 milk year, the target price for milk and the intervention prices for butter, skimmed milk powder and Grana padano and Parmigiano Reggiano cheeses provided for the application of corrective amounts in Belgium and Luxembourg to *inter alia* the intervention price for skimmed milk powder; whereas this has resulted in an increase in the price of that product in the Member States concerned;

Whereas in order to assess the effect of that price increase on the return on the use of skimmed milk for the manufacture of casein and caseinates, Article 2 (3) of Commission Regulation (EEC) No 756/70<sup>4</sup> of 24 April 1970 on granting aid for skimmed milk processed into casein and caseinates, as amended by Regulation (EEC) No 1479/70,<sup>5</sup> provided for an increase in the aid for casein in Belgium and Luxembourg until the end of the 1970/71 milk year;

Whereas, moreover, Article 8 (2) of Commission Regulation (EEC) No 1680/70<sup>6</sup> of 18 August 1970 on a standing invitation to tender for skimmed milk powder held by intervention agencies, as amended by Regulation (EEC) No 2039/70,<sup>7</sup> also adopted measures to take account, when the minimum price for each invitation to tender is determined, of the difference between the price of skimmed milk in the two Member States concerned and that in other Member States;

Whereas the above-mentioned provisions of Regulations (EEC) No 756/70 and (EEC) No 1680/70 will serve no further purpose after the discontinuation on 1 January 1971 of the corrective amounts applied in Belgium and Luxembourg in accordance with Council Regulation (EEC) No 2552/70<sup>8</sup> of 15 December 1970 altering the buying-in price of butter and skimmed milk powder applied by the Belgian and Luxembourg intervention agencies;

Whereas, moreover, Article 1 of Regulation (EEC) No 1680/70 provides for the sale of skimmed milk powder taken into stock before 1 January 1970; whereas, in order to avoid depreciation in the quality of skimmed milk powder due to prolonged storage, arrangements should be made to ensure that the oldest skimmed milk powder is sold first;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Milk and Milk Products;

HAS ADOPTED THIS REGULATION:

*Article 1*

(a) Paragraph 3 of Article 2 of Regulation (EEC) No 756/70; and

<sup>1</sup> OJ No L 148, 28.6.1968, p. 13.

<sup>2</sup> OJ No L 143, 1.7.1970, p. 1.

<sup>3</sup> OJ No L 141, 29.6.1970, p. 27.

<sup>4</sup> OJ No L 91, 25.4.1970, p. 28.

<sup>5</sup> OJ No L 163, 25.7.1970, p. 10.

<sup>6</sup> OJ No L 185, 19.8.1970, p. 8.

<sup>7</sup> OJ No L 226, 13.10.1970, p. 8.

<sup>8</sup> OJ No L 275, 19.12.1970, p. 3.

(b) Paragraph 2 of Article 8 of Regulation (EEC) No 1680/70 are hereby revoked.

*Article 2*

The date '1 May 1969' shall be substituted for '1 January 1970' in Article 1 of Regulation (EEC) No 1680/70.

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

Done at Brussels, 28 December 1970.

*Article 3*

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

It shall take effect on 1 January 1971.

However, Article 2 shall not apply before the ninth partial invitation to tender, for which the closing date for submitting tenders is 12 January 1971.

*For the Commission*

*The President*

Franco M. MALFATTI

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