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Contents

I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 995/78 of 12 May 1978 fixing the guide price and the intervention price for adult bovine animals for the 1978/79 marketing year 1
- ★ Council Regulation (EEC) No 996/78 of 12 May 1978 continuing for the 1978/79 marketing year the premium for the slaughter of certain adult bovine animals provided for in Regulation (EEC) No 870/77 3
- ★ Council Regulation (EEC) No 997/78 of 12 May 1978 granting a premium for the birth of calves during the 1978/79 marketing year 4
- ★ Council Regulation (EEC) No 998/78 of 12 May 1978 fixing the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheeses for the 1978/79 milk year 5
- ★ Council Regulation (EEC) No 999/78 of 12 May 1978 fixing the threshold prices for certain milk products for the 1978/79 milk year 6
- ★ Council Regulation (EEC) No 1000/78 of 12 May 1978 amending Regulation (EEC) No 823/68 as regards the conditions for the entry of cheeses falling within certain tariff headings, and Regulation (EEC) No 950/68 on the Common Customs Tariff 7
- ★ Council Regulation (EEC) No 1001/78 of 12 May 1978 amending Regulation (EEC) No 1079/77 as regards the amount of the co-responsibility levy in the milk and milk products sector 11

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 995/78

of 12 May 1978

fixing the guide price and the intervention price for adult bovine animals for the 1978/79 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 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 425/77 ⁽²⁾, and in particular Article 3 (3), the first paragraph of Article 4 and the second subparagraph of Article 6 (4) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽³⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁴⁾,

Whereas, when the guide price for adult bovine animals is fixed, account should be taken both 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 common agricultural policy aims *inter alia* to ensure a fair standard of living for the agricultural community, to guarantee the availability of supplies and to ensure that supplies reach consumers at reasonable prices;

Whereas the guide price must be fixed in accordance with the criteria laid down in Article 3 (2) of Regulation (EEC) No 805/68; whereas for the 1978/79 marketing year it should be fixed at a higher level than that adopted for the previous marketing year;

Whereas, moreover, in view of the current economic situation on the beef and veal market, the intervention price for adult bovine animals for the 1978/79 marketing year should be fixed at the same level in relation to the guide price as that adopted for the previous marketing year;

Whereas, under Article 6 (3) of Regulation (EEC) No 805/68, the intervention agencies must buy in beef and veal offered to them when average prices on the Community market are below the intervention price; whereas, under Article 6 (1) of the same Regulation, the intervention agencies buy in, having regard to the characteristics of the production of the Member State to which they belong, meat offered to them which has certain quality characteristics; whereas, in the light of the experience of recent years and foreseeable market trends, provision should be made for the 1978/79 marketing year for suspending, in respect of each Member State or in respect of certain regions of Member States, intervention buying-in of each of these qualities when it is found that their price on the representative markets of the Member State or the region in question exceeds their maximum buying-in price over a certain period,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1978/79 marketing year, the guide price for adult bovine animals shall be 125.97 units of account per 100 kilograms live weight.

Article 2

For the 1978/79 marketing year:

- the intervention price referred to in the second subparagraph of Article 6 (1) of Regulation (EEC) No 805/68 shall be 113.37 units of account per 100 kilograms live weight,
- the price level referred to in the first sentence of Article 6 (3) of Regulation (EEC) No 805/68 shall be 113.37 units of account per 100 kilograms live weight.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽³⁾ OJ No C 85, 10. 4. 1978, p. 31.

⁽⁴⁾ OJ No C 101, 26. 4. 1978, p. 10.

Article 3

For the 1978/79 marketing year :

1. By way of derogation from Article 6 (1) and (3) of Regulation (EEC) No 805/68, buying-in by the intervention agencies of one or more qualities to be determined of fresh or chilled meat falling within subheadings 02.01 A II a) 1, 02.01 A II a) 2 and 02.01 A II a) 3 of the Common Customs Tariff may be partially or wholly suspended in a Member State or in a region of a Member State :

(a) by the Commission, according to the procedure laid down in point 4, where the market price for the quality or qualities in question, recorded in accordance with Article 12 (6) of Regulation (EEC) No 805/68 on the representative markets of the Member State in question remains — during a period of three consecutive weeks — above 100 % and equal to or less than 102 % of the maximum buying-in price fixed for that quality or those qualities in accordance with point 3 ;

(b) by the Commission, where the market price referred to in (a) remains — during a period of three consecutive weeks — above 102 % of the maximum buying-in price referred to in (a).

2. If the buying-in by the intervention agencies has been suspended pursuant to point 1, the Commission shall decide to resume the buying-in, where the market price for that quality or those qualities remains at the same level or less than the maximum buying-in price during a period of two consecutive weeks.

3. The maximum buying-in price shall be calculated for each of the qualities determined by applying to an amount equal to 90 % of the guide price a coefficient expressing the normal relationship, adjusted according to the characteristics of each Member State's production, between the price for the quality in question and the price of adult bovine animals recorded in accordance with Article 12 (6) of Regulation (EEC) No 805/68 on the representative markets of the Community.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.

Article 4

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 12 May 1978.

For the Council

The President

P. DALSGER

COUNCIL REGULATION (EEC) No 996/78**of 12 May 1978****continuing for the 1978/79 marketing year the premium for the slaughter of certain adult bovine animals provided for in Regulation (EEC) No 870/77**

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 ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas the intervention price applicable in the beef and veal sector for the 1978/79 marketing year was fixed at a level below that resulting from the implementation of Article 6 of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽³⁾, as last amended by Regulation (EEC) No 425/77 ⁽⁴⁾; whereas the Member States should therefore be authorized to grant further aid to stock-farmers since, in the light of short-

term prospects on the Community beef and veal market, there is a risk that their incomes may drop;

Whereas this objective may be achieved by extending the system of premiums for the slaughter of certain adult bovine animals provided for in Council Regulation (EEC) No 870/77 of 26 April 1977 authorizing the Member States to grant a premium for the slaughter of certain adult bovine animals for slaughter during the 1977/78 marketing year ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The application of the provisions of Regulation (EEC) No 870/77 shall be continued for the 1978/79 marketing year.

Article 2

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 12 May 1978.

For the Council

The President

P. DALSAGER

⁽¹⁾ OJ No C 85, 10. 4. 1978, p. 31.

⁽²⁾ OJ No C 101, 26. 4. 1978, p. 10.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 1.

⁽⁵⁾ OJ No L 106, 29. 4. 1977, p. 14.

COUNCIL REGULATION (EEC) No 997/78

of 12 May 1978

granting a premium for the birth of calves during the 1978/79 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 the proposal from the Commission,

Having regard to the opinion of the European Parlia-
ment ⁽¹⁾,

Having regard to the opinion of the Economic and
Social Committee ⁽²⁾,

Whereas the intervention price applicable in the beef
and veal sector for the 1978/79 marketing year was
fixed at a level below that resulting from the imple-
mentation of Article 6 of Council Regulation (EEC)
No 805/68 of 27 June 1968 on the common organiza-
tion of the market in beef and veal ⁽³⁾, as last amended
by Regulation (EEC) No 425/77 ⁽⁴⁾; whereas the
Member States which, during the three preceding
marketing years, have applied the system of a
premium for the birth of calves referred to in Article
6 of Council Regulation (EEC) No 464/75 of 27
February 1975 establishing systems of premiums for
producers of bovine animals ⁽⁵⁾, as amended by Regula-
tion (EEC) No 390/76 ⁽⁶⁾, and as extended by Council
Regulation (EEC) No 620/76 of 19 March 1976
granting a premium for the birth of calves during the
1976/77 marketing year ⁽⁷⁾, and Council Regulation
(EEC) No 871/77 of 26 April 1977 granting a
premium for the birth of calves during the 1977/78
marketing year ⁽⁸⁾, should therefore continue to grant
this premium for a further period of 12 months;

Whereas this premium constitutes an intervention on
the internal market within the meaning of Article 3 of

Council Regulation (EEC) No 729/70 of 21 April
1970 on the financing of the common agricultural
policy ⁽⁹⁾, as last amended by the Act of Accession,

HAS ADOPTED THIS REGULATION:

Article 1

1. Member States which apply the system of a
premium for the birth of calves referred to in Regula-
tion (EEC) No 871/77 shall continue to grant a
premium for every calf born on their territory during
a further period of 12 months and still alive six
months after its birth.

2. The amount of the new premium referred to in
paragraph 1 shall be 35 units of account, payable by
the Guarantee Section of the European Agricultural
Guidance and Guarantee Fund. It shall be paid in a
single instalment.

Article 2

Detailed rules of the application of this Regulation
shall be adopted according to the procedure laid down
in Article 27 of Regulation (EEC) No 805/68.

Article 3

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

It shall apply from the day following that on which
the application of the system laid down by Article 1
of Regulation (EEC) No 871/77 ends.

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

Done at Brussels, 12 May 1978.

For the Council

The President

P. DALSAGER

⁽¹⁾ OJ No C 85, 10. 4. 1978, p. 31.
⁽²⁾ OJ No C 101, 26. 4. 1978, p. 10.
⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24.
⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 1.
⁽⁵⁾ OJ No L 52, 28. 2. 1975, p. 5.
⁽⁶⁾ OJ No L 48, 24. 2. 1976, p. 2.
⁽⁷⁾ OJ No L 74, 20. 3. 1976, p. 1.
⁽⁸⁾ OJ No L 106, 29. 4. 1977, p. 16.

⁽⁹⁾ OJ No L 94, 28. 4. 1970, p. 13.

COUNCIL REGULATION (EEC) No 998/78

of 12 May 1978

fixing the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheeses for the 1978/79 milk 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⁽¹⁾, as last amended by Regulation (EEC) No 2560/77⁽²⁾, and in particular Articles 3 (4) and 5 (1) thereof,

Having regard to the proposal from the Commission,
Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas, when fixing the common agricultural prices, account should 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 to ensure that supplies are available and that they reach consumers at reasonable prices;

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,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1978/79 milk year, the target price for milk and the intervention prices for milk products shall be as follows:

	(u.a./100 kg)
(a) target price for milk	17.70
(b) intervention price:	
— butter	235.72
— skimmed-milk powder	95.78
— Grana Padano cheese:	
— of an age from 30 to 60 days	231.13
— of an age of at least six months	280.48
— Parmigiano Reggiano cheese of an age of at least six months	306.03

Article 2

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 12 May 1978.

For the Council
The President
P. DALSAGER

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No C 85, 10. 4. 1978, p. 31.

⁽⁴⁾ OJ No C 101, 26. 4. 1978, p. 10.

COUNCIL REGULATION (EEC) No 999/78

of 12 May 1978

fixing the threshold prices for certain milk products for the 1978/79 milk year

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⁽¹⁾, as last
amended by Regulation (EEC) No 2560/77⁽²⁾, 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 relation-
ship desired between the value of milk fat 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
marketing stage at which imported milk products first
come into competition with milk products manufac-
tured within the Community, i.e. the 'delivered free
wholesaler' stage,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1978/79 milk year the threshold prices
shall be as follows:

Pilot product of the group of products	u.a./100 kg
1	27.00
2	112.11
3	172.57
4	68.30
5	88.72
6	256.34
7	253.10
8	205.26
9	336.56
10	220.91
11	203.16
12	53.70

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 calcu-
lating levies on milk and milk products⁽³⁾, as last
amended by Regulation (EEC) No 2560/77.

Article 2

This Regulation shall enter into force on 22 May
1978.

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

Done at Brussels, 12 May 1978.

For the Council

The President

P. DALSAGER

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 3.

COUNCIL REGULATION (EEC) No 1000/78**of 12 May 1978****amending Regulation (EEC) No 823/68 as regards the conditions for the entry 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⁽¹⁾, as last amended by Regulation (EEC) No 2560/77⁽²⁾, 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⁽³⁾, as last amended by Regulation (EEC) No 874/77⁽⁴⁾, lays down conditions for the entry into the Community of Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell cheeses falling within subheading 04.04 A I and Cheddar cheese falling within subheading 04.04 E I b) 1 aa) of the Common Customs Tariff; whereas those conditions include observance of the free-at-frontier values corresponding to those bound under GATT; whereas these values must be aligned on the Community target price for milk and the threshold price for Group 10 which are fixed for the 1978/79 milk year;

Whereas, as regards the products falling within subheadings 04.02 A III a) and 04.02 B II a) of the

Common Customs Tariff, the descriptions of the goods given in the said Annex should be amended to take account of improvements in packaging techniques and also in the interests of simplification;

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 subheadings 04.02 A III a), 04.02 B II a), 04.04 A I and 04.04 E I b) 1 aa) of the Common Customs Tariff and in Annex II to Regulation (EEC) No 823/68 are hereby amended as shown in Annex I hereto.

Article 2

The Common Customs Tariff annexed to Regulation (EEC) No 950/68 is hereby amended as shown in Annex II hereto.

Article 3

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 12 May 1978.

For the Council

The President

P. DALSAGER

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 3.

⁽⁴⁾ OJ No L 106, 29. 4. 1977, p. 20.

ANNEX I

CCT heading No	Description
04.02	A. III. Milk and cream, other than in powder or granules : a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight, not exceeding 11 % : 1. (Unchanged) 2. (Unchanged) b) (Unchanged) : 1. (Unchanged) 2. (Unchanged) B. II. Milk and cream, other than in powder or granules : a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight, not exceeding 9.5 % b) (Unchanged) : 1. (Unchanged) 2. (Unchanged)
04.04	Cheese and curd : A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered : I. Of a minimum fat content of 45 % by weight, in the dry matter, matured for at least three months⁽²⁾ : a) Whole cheeses⁽⁴⁾ of a free-at-frontier value⁽⁵⁾ per 100 kg net weight of : 1. 225.60 u.a. or more, but less than 245.60 u.a. 2. 245.60 u.a. or more b) Pieces packed in vacuum or in inert gas : 1. With rind on at least one side, of a net weight : aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value⁽⁵⁾ of not less than 245.60 u.a. but less than 273.60 u.a. per 100 kg net weight bb) Of not less than 450 g and of a free-at-frontier value⁽⁵⁾ of not less than 273.60 u.a. per 100 kg net weight 2. Other, of a net weight of not less than 75 g but not more than 250 g⁽⁶⁾ and of a free-at-frontier value⁽⁵⁾ of not less than 293.60 u.a. per 100 kg net weight II. (Unchanged) E. (Unchanged) : I. (Unchanged) : a) (Unchanged) b) (Unchanged) : 1. (Unchanged) : aa) Whole Cheddar cheeses⁽⁴⁾, 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 216.91 u.a. per 100 kg net weight⁽²⁾ bb) (Unchanged)

ANNEX II

In Chapter 4 of the Common Customs Tariff subheadings 04.02 A III a), 04.02 B II a), 04.04 A I and 04.04 E I b) 1 aa) are amended, with effect from 22 May 1978 as follows :

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional
04.02	A. III. Milk and cream, other than in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight, not exceeding 11 % :		
	1. Of a fat content, by weight, not exceeding 8.9 %	18 (L)	—
	2. Other	18 (L)	—
	b) Other, of a fat content by weight :		
	1. Not exceeding 45 %	18 (L)	—
	2. Exceeding 45 %	18 (L)	—
	B. II. Milk and cream, other than in powder or granules :		
04.04	a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight, not exceeding 9.5 %	23 (L)	—
	b) Other, of a fat content by weight :		
	1. Not exceeding 45 %	23 (L)	—
	2. Exceeding 45 %	23 (L)	—
	Cheese and curd (a) :		
	A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered :		
	I. Of a minimum fat content of 45 % by weight, in the dry matter, matured for at least three months (b) :		
	a) Whole cheeses of a free-at-frontier value per 100 kg net weight of :		
	1. 225.60 u.a. or more, but less than 245.60 u.a.	23 (L)	(c)
	2. 245.60 u.a. or more	23 (L)	(c)
	b) Pieces packed in vacuum or in inert gas :		
	1. With rind on at least one side, of a net weight :		
	aa) Of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 245.60 u.a. but less than 273.60 u.a. per 100 kg net weight	23 (L)	(c)
	bb) Of not less than 450 g and of a free-at-frontier value of not less than 273.60 u.a. per 100 kg net weight	23 (L)	(c)
	2. Other, of a net weight of not less than 75 g but not more than 250 g and of a free-at-frontier value of not less than 293.60 u.a. per 100 kg net weight	23 (L)	(c)
	II. Other	23 (L)	(c)

(a) The exchange rate to be applied in converting into national currencies the unit of account referred to in the subdivisions of this heading shall, notwithstanding General Rule C 3 contained in Part I, Section I, be the representative rate, if such rate is fixed pursuant 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 (OJ No 106, 30. 10. 1962, p. 2553/62).

(b) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(c) See Annex.

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional
04.04 (cont'd)	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	a) Not exceeding 47 %	23 (L)	—
	b) Exceeding 47 % but not exceeding 72 % :		
	1. Cheddar :		
	aa) Whole Cheddar cheeses, 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 216.91 u.a. per 100 kg net weight (a)	23 (L)	—
	bb) Other	23 (L)	—

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

COUNCIL REGULATION (EEC) No 1001/78

of 12 May 1978

amending Regulation (EEC) No 1079/77 as regards the amount of the co-responsibility levy in the milk and milk products sector

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 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products⁽¹⁾, and in particular Article 2 (1) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas Regulation (EEC) No 1079/77 introduced a co-responsibility levy on all quantities of milk delivered to dairies and certain farm sales of milk products; whereas under the first subparagraph of Article 2 (3) of that Regulation the levy is equal to at least 1.5 % but not more than 4 % of the target price for milk obtaining for the milk year concerned;

Whereas, with regard to the level of the levy to be fixed for the 1978/79 milk year, the need for a moderate increase in prices for this year must be reconciled with the necessary support for farmers' incomes;

Whereas, in this situation, the margin referred to above should be adjusted and the levy for the new

milk year set at 0.5 % of the target price obtaining for that year; whereas this level of the levy should be applied as from 1 May 1978;

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (3) of Regulation (EEC) No 1079/77 is hereby amended as follows:

1. The first subparagraph shall be replaced by the following:

'3. The levy shall be not more than 4 % of the target price for milk valid for the milk year in question.'

2. The following subparagraph shall be added:

'For the 1978/79 milk year the levy shall be 0.5 % of the target price for milk.'

Article 2

By derogation from the second subparagraph of Article 2 (3) of Regulation (EEC) No 1079/77, the levy shall be 0.5 % of the target price for milk valid for the 1977/78 milk year as far as the period 1 May to 21 May 1978 is concerned.

Article 3

This Regulation shall enter into force on 22 May 1978.

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

Done at Brussels, 12 May 1978.

For the Council

The President

P. DALSAGER

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽²⁾ OJ No C 85, 10. 4. 1978, p. 31.

⁽³⁾ OJ No C 101, 26. 4. 1978, p. 10.