Commission Regulation (EC) No 490/2005 of 29 March 2005 on the division between 'deliveries' and 'direct sales' of national reference quantities fixed for 2004/2005 in Annex I to Council Regulation (EC) No 1788/2003

COMMISSION REGULATION (EC) No 490/2005

of 29 March 2005

on the division between 'deliveries' and 'direct sales' of national reference quantities fixed for 2004/2005 in Annex I to Council Regulation (EC) No 1788/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1788/2003 of 29 September 2003 establishing a levy in the milk and milk products sector[(1)], and in particular Article 6(4) and Article 8 thereof,

Whereas:

(1) Article 6 of Regulation (EC) No 1788/2003 provides that the Member States shall establish the producers' individual reference quantities; that producers may have one or two individual reference quantities, one for deliveries and the other for direct sales and that these quantities may be converted from one reference quantity to the other at the duly justified request of the producer.

(2) In accordance with Article 25(1) of Commission Regulation (EC) No 595/2004 of 30 March 2004 laying down detailed rules for applying Council Regulation (EC) No 1788/2003 establishing a levy on milk and milk products[(2)], Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden, and the United Kingdom have notified the Commission the division between deliveries and direct sales of individual reference quantities resulting from the application of Article 6(1) of Regulation (EC) No 1788/2003.

(3) For the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia the basis for the individual reference quantities were set out in table (f) of Annex I to Regulation (EC) No 1788/2003.

(4) In accordance with Article 25(2) of Regulation (EC) No 595/2004, Belgium, Czech Republic, Denmark, Germany, Estonia, Greece, Spain, France, Ireland, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, the Netherlands, Austria, Portugal, Slovakia, Finland, Sweden, and the United Kingdom have notified quantities which have been definitively converted at the request of the producers between individual reference quantities for deliveries and for direct sales.

(5) (Article 6(4) of Regulation (EC) No 1788/2003 provides that the part of the Finnish national reference quantity allocated to deliveries referred to in Article 1 of that Regulation may be increased to compensate 'SLOM' producers, up to a maximum of 200 000 tonnes. In accordance with Article 6 of Commission Regulation (EC) No 671/95 of 29 March 1995 on the assignment of specific reference quantities to certain

producers of milk and milk products in Austria and Finland[3], Finland has notified the quantities concerned for the 2004/2005 marketing year.

(6) It is therefore appropriate to establish the division between 'deliveries' and 'direct sales' of the national reference quantities applicable for the period from 1 April 2004 to 31 March 2005 fixed in Annex I to Regulation (EC) No 1788/2003.

(7) 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

The division between 'deliveries' and 'direct sales' of the national reference quantities applicable for the period from 1 April 2004 to 31 March 2005 fixed in Annex I to Regulation (EC) No 1788/2003 is set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 29 March 2005.

For the Commission

Mariann FISCHER BOEL

Member of the Commission