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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2028/2002

of 11 November 2002

amending Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission [1],

Having regard to the opinion of the European Parliament [2],

Whereas:

(1) In order to permit the maintenance of traditional dairy farming in Madeira, Council Regulation (EC) No 1453/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Azores and Madeira [3] stipulates that Council Regulation (EEC) No 3950/92 [4] is not, within the limit of local production, to apply to Madeira.

(2) Regulation (EEC) No 3950/92 sets the reference quantities applicable in each Member State. The exemption must not affect application of the levy arrangements in Portugal. The reference quantity for Portugal should therefore be reduced by an amount equal to that of the quantities available to producers in Madeira that were used in determining it. The Annex to the Regulation should be amended accordingly, with effect from 1 April 2001,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3950/92 shall be replaced by the Annex to this Regulation.

Article 2

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

It shall apply as from 1 April 2001.

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

Done at Brussels, 11 November 2002.

For the Council

The President

B. MIKKELSEN

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[1] OJ C 227 E, 24.9.2002.

[2] Opinion given on 22 October 2002 (not yet published in the Official Journal).

[3] OJ L 198, 21.7.2001, p. 26.

[4] OJ L 405, 31.12.1992, p. 1. Regulation as last amended by Commission Regulation (EC) No 582/2002 (OJ L 89, 5.4.2002, p. 7).

ANNEX

(a) Total reference quantities referred to in Article 3(2) applicable from 1 April 2000 to 31 March 2001

(tonnes)

Member State	Deliveries	Direct sales
Belgium	3 171 279,539	139 151,461
Denmark	4 454 616,417	731,583
Germany	27 768 686,841	96 129,159
Greece	674 471,000	842,000
Spain	5 828 977,475	87 972,525
France	23 832 232,240	403 565,760
Ireland	5 332 448,840	9 315,160
Italy	10 100 482,000	213 578,000
Luxembourg	268 254,000	795,000
Netherlands	10 992 901,000	81 791,000
Austria	2 583 251,804	166 149,196
Portugal	1 863 166,000	9 295,000
Finland	2 397 527,921	9 120,645
Sweden	3 300 000,000	3 000,000
United Kingdom (1)	14 420 829,479	181 825,521

(1) Specific quota increase for allocation to Northern Ireland.

(b) Total reference quantities referred to in Article 3(2) applicable from 1 April 2001 to 31 March 2002

(tonnes)

Member State	Deliveries	Direct sales
Belgium	3 188 202,403	122 228,597
Denmark	4 454 709,217	638,783
Germany	27 769 228,612	95 587,388
Greece	699 626,000	887,000
Spain	6 035 564,833	81 385,167
France	23 844 318,264	391 479,736
Irland	5 386 176,780	9 587,220
Italy	10 316 482,000	213 578,000
Luxembourg	268 554,000	495,000
Netherlands	11 001 277,000	73 415,000
Austria	2 599 130,467	150 270,533
Portugal (1)	1 861 171,000	9 290,000
Finland	2 398 275,179	8 685,339
Sweden	3 300 000,000	3 000,000
United Kingdom (2)	14 437 481,500	172 265,500

(1) Except Madeira.
(2) Specific quota increase for allocation to Northern Ireland.