COMMISSION REGULATION (EC) No 1039/2002
of 14 June 2002
suspending the buying-in of skimmed-milk powder at the intervention price

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], as last amended by Commission Regulation (EC) No 509/2002 [2], and in particular Article 10 thereof,

Whereas:

(1) Article 7(2) of Regulation (EC) No 1255/1999 provides that the Commission may suspend the buying-in of skimmed-milk powder as soon as the quantities offered for intervention in the period from 1 March to 31 August each year exceed 109 000 tonnes and that in that case buying-in by the intervention agencies may be carried out under an open standing invitation to tender on the basis of specifications to be determined.

(2) Since the condition for suspending buying-in is met, it should be suspended and the Member States authorised to buy in under a standing invitation to tender for the remaining intervention period so as to continue to support the skimmed-milk powder market by fixing a maximum buying-in price on the basis of the applicable intervention price and taking account of tenders received for each invitation to tender.

(3) Commission Regulation (EC) No 214/2001 of 12 January 2001 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in skimmed-milk powder [3] lays down provisions to apply where the Commission decides that buying-in is to take place under a standing invitation to tender.

(4) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The buying-in of skimmed-milk powder at the intervention price provided for in Article 7(1) of Regulation (EC) No 1255/1999 is suspended throughout the Community.

Until 31 August 2002, intervention agencies may buy in skimmed-milk powder meeting the requirements of Article 7(1) of Regulation (EC) No 1255/1999 under a standing invitation to tender in accordance with Articles 13 to 20 of Regulation (EC) No 214/2001.

Article 2

This Regulation shall enter into force on the day of 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, 14 June 2002.

For the Commission
Franz FISCHLER
Member of the Commission

[1] OJ L 160, 26.6.1999, p. 48.
[2] OJ L 79, 22.3.2002, p. 15.
[3] OJ L 37, 7.2.2001, p. 100.