

REGULATION (EEC) No 677/73 OF THE COMMISSION

of 7 March 1973

amending Regulation (EEC) No 1259/72 on the disposal of butter at a reduced price to certain Community processing undertakings

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community ;

Article 1

Having regard to Council Regulation (EEC) No 804/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by the Act ⁽²⁾ annexed to the Treaty ⁽³⁾ concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 6 (7) thereof ;

In Article 1 of Regulation (EEC) No 1259/72, the phrase 'before 1 May 1972' is replaced by 'before 16 May 1972'.

Article 2

Having regard to Council Regulation (EEC) No 985/68 ⁽⁴⁾ of 15 July 1968 laying down general rules for intervention on the market in butter and cream, as last amended by Regulation (EEC) No 2714/72 ⁽⁵⁾, and in particular Article 7a thereof ;

In Article 6 (1) (c), last subparagraph, and (2) of Regulation (EEC) No 1259/72, the words '4 months' are replaced by '6 months'.

Article 3

Whereas Article 1 of Commission Regulation (EEC) No 1259/72 ⁽⁶⁾ of 16 June 1972, as last amended by Regulation (EEC) No 555/73 ⁽⁷⁾, provides that butter put up for sale must have been taken into storage before 1 May 1972 ; whereas it would be desirable, in view of changes in Community butter stocks, to extend the provisions of that Regulation to butter taken into storage before 16 May 1972 ;

The following paragraph 3 is added to Article 12 of Regulation (EEC) No 1259/72 :

'3. Where the operations described under Article 6 (1) (a) and (b) take place in a Member State other than the selling Member State, the processing security shall be lodged with the intervention agency in the Member State in which those operations take place.

Whereas under Article 6 (1) (c) and (2) the butter must be processed within four months ; whereas experience has shown that this period should be extended to six months ;

Where such is the case, the intervention agency receiving the processing security shall forthwith forward to the intervention agency of the selling Member State an attestation specifying in particular the amount of the security, the corresponding quantities of butter and the date on which the contract was awarded.'

Whereas the time required for releasing the processing security could be reduced if arrangements were simplified and the customs documents accompanying the product amended accordingly ;

Article 4

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

Article 17 (1) of Regulation (EEC) No 1259/72 is replaced by the following :

'Article 17

1. Where the operations described under Article 6 (1) (a) and (b) or the processing described under Article 6 (1) (c) take place in a Member State other than the following Member State the following rules shall be applied :

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁵⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁶⁾ OJ No L 139, 17. 6. 1972, p. 18.

⁽⁷⁾ OJ No L 54, 27. 2. 1973, p. 27.

Sections 101, 103, 104 and 106 of the control copy provided for in Article 1 of Regulation (EEC) No 2315/69 shall be completed ;

(a) in the case of butter which is to undergo the operations described under Article 6 (1) (a) and (b) in a Member State other than the selling Member State :

(aa) section 104 shall be completed by deleting what does not apply and by adding one of the following phrases under the second indent :

- 'Beurre destiné à être concentré et à subir une incorporation, conformément à l'article 6 paragraphe 1 sous a) et b) du règlement (CEE) n° 1259/72'.
- 'Butter zur Verarbeitung zu Butterfett und zur Beimischung gemäß Artikel 6 Absatz 1 Buchstaben a) und b) der Verordnung (EWG) Nr. 1259/72'.
- 'Burro destinato ad essere concentrato ed essere oggetto di una incorporazione in conformità all'articolo 6, paragrafo 1, lettere a) e b), del regolamento (CEE) n. 1259/72'.
- 'Boter bestemd voor verwerking tot boterconcentraat en voor bijmenging overeenkomstig artikel 6, lid 1, sub a) en b) van Verordening (EEG) nr. 1259/72'.
- 'Butter intended for concentration and incorporation in accordance with Article 6 (1) (c) of Regulation (EEC) No 1259/72'.
- 'Smør bestemt til forarbejdning til koncentreret smør og til iblanding i henhold til artikel 6, stk. 1, litra a) og b), i forordning (EØF) nr. 1259/72'.

The date on which the butter was taken over and one of the following phrases shall be entered in section 106 :

- 'le beurre ayant subi la transformation visée dans la case 104 doit faire l'objet de la délivrance d'un ou de plusieurs nouveaux exemplaires de contrôle n° 5',
- 'für die Butter, die Gegenstand der in Feld Nr. 104 genannten Verarbeitung gewesen ist, sind ein oder mehrere neue Kontrollexemplare Nr. 5 auszustellen',
- 'il burro che ha subito la trasformazione di cui alla casella 104 deve essere oggetto del rilascio di uno e di più nuovi esemplari di controllo no 5',

— 'voor de boter, die de in vak 104 bedoelde verwerking heeft ondergaan, moeten één of meer nieuwe controle-exemplaren nr. 5 worden afgegeven',

— 'In the case of butter which has undergone the processing referred to in section 104, one or more new No 5 control copies should be issued',

— 'for smør, der har været genstand for den i rubrik 104 nævnte forarbejdning, udstredes et eller flere nye kontroleksemplarer nr. 5'.

The number(s) of the new control copy or copies shall be entered under 'Remarks' in the 'Control as to use and/or destination' section of the form.

(bb) The new control copy or copies shall be filled in by the customs office which supervised the operations described under Article 6 (1) (a) and (b) of Regulation (EEC) No 1259/72.

Sections 101, 103, 104 and 106 shall be completed. One of the phrases indicated in (b) below shall be entered in section 104 ; section 106 shall specify :

- the weight of butter used to produce the quantity of concentrated butter specified in section 103,
- the number of the control copy issued by the office of departure and the name of the office,
- the date on which the butter was taken over.

(b) In the case of butter which has undergone the operations described under Article 6 (1) (a) and (b) in the selling Member State and which is to be processed as required under Article 6 (1) (c) in another Member State, section 104 shall be completed by deleting what does not apply and by entering under the second indent :

- 'beurre concentré destiné à être transformé en l'un des produits visés à l'article 6 paragraphe 1 sous c) du règlement (CEE) n° 1259/72'.
- 'Butterfett zur Verarbeitung zu einem der in Artikel 6 Absatz 1 Buchstabe c) der Verordnung (EWG) Nr. 1259/72 genannten Erzeugnisse'.
- 'Burro concentrato destinato ad essere trasformato in uno dei prodotti di cui all'articolo 6, paragrafo 1, lettera c), del regolamento (CEE) n. 1259/72'.

- 'Boterconcentraat bestemd voor verwerking tot één van de in artikel 6 lid 1, sub c), van Verordening (EEC) nr. 1259/72 genoemde produkten'.
- 'Concentrated butter for processing into one of the products specified in Article 6 (1) (c) of Regulation (EEC) No 1259/72'.
- 'koncentreret smør bestemt til forarbejdning til et af de i artikel 6, stk. 1, litra c), i forordning (EØF) nr. 1259/72 nævnte produkter'.

Article 5

In Article 18 (2) (c) of Regulation (EEC) No 1259/72 the words 'the control copy referred to in Article 17' are replaced by :

'the control copy referred to in Article 17 :

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

Done at Brussels, 7 March 1973.

- paragraph 1 (a) (bb), where the processing in question is that referred to in (a) of that paragraph ;
- paragraph 1 (b), where the processing in question is that referred to in that paragraph ;
- paragraph 2, where the processing in question is that referred to in that paragraph.'

Article 6

This Regulation shall enter into force on 10 March 1973.

However, should any interested party so request, undertakings given under Article 6 of Regulation (EEC) No 1259/72 in connection with individual invitations to tender issued before 10 March 1973 shall be brought in line with the provisions of Article 2.

For the Commission

The President

François-Xavier ORTOLI