COMMISSION DECISION

of 16 September 1974

on the supply of butteroil to Malta as food aid

(Only the French text is authentic)

(74/490/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

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 Regulation (EEC) No 662/74 [2], and in particular Article 6 (7) thereof;

Whereas Council Regulation (EEC) No 530/74 [3] of 4 March 1974 laying down general rules for the supply of milk fats as food aid to certain developing countries and certain international organizations provides *inter alia* for 150 metric tons of butteroil to be made available to Malta; whereas Article 1 of the said Regulation allows this tonnage to be delivered in the form of butter or butteroil; whereas Malta has requested that 36 metric tons of butter, equal to 30 metric tons of butteroil, be delivered;

Whereas Article 2 of the abovementioned Regulation stipulates that tenders must be invited for shipment to the fas stage, save in exceptional cases where private contracts may be negotiated;

Whereas, in view of the urgency and the small tonnage to be transported, a private contract must be negotiated in respect of the delivery in question;

Whereas, given the stocks held by intervention agencies and the situation of the market in butter, the tonnage specified above may be supplied by the French intervention agency;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Thirty-six metric tons of butter shall be delivered to Malta in accordance with Regulation (EEC) No 530/74.

2. The butter shall satisfy the conditions as to quality and packaging laid down in the Annex.

Article 2

1. The butter shall be collected from the French intervention agency.

2. The butter shall be delivered fas to the port of Sète (France) on a date to be fixed by the French intervention agency which must be after 14 October and before 31 October 1974.

Article 3

To determine the costs associated with the delivery referred to in Article 2 (2), the French intervention agency shall conclude a private contract on the least onerous terms.

The French intervention agency shall forthwith send the Commission a copy of the private contract.

Article 4

No refund or compensatory (whether monetary or accession) shall be granted in respect of the butter delivered pursuant to this Decision.

Article 5

This Decision is addressed to the French Republic.

Done at Brussels, 16 September 1974.

For the Commission

The President

François-Xavier ORTOLI

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[1] OJ No L 148, 28. 6. 1968, p. 13.
[2] OJ No L 85, 29. 3. 1974, p. 51.
[3] OJ No L 65, 7. 3. 1974, p. 46.

ANNEX

I. **Quality of the butter**

(a) Minimum fat content of the milk : 82 %,
(b) Maximum water content : 16 %,
(c) Produced from pasteurized acid cream.

II. **Packaging**

(a) In blocks of 25 kg

(b) The packaging must be of resistant materials to protect the butter throughout transport, storage and disposal

(c) Marking on the packaging :

'Butter — Gift of the European Economic Community to Malta'.