COMMISSION DECISION

of 9 September 1981

concerning a special case arising from the implementation of Regulation (EEC) No 2896/80 in respect of delivery of a consignment of butteroil as food aid

(Only the Dutch and French texts are authentic)

(81/768/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 of 27 June 1968 on the common organization of the market in milk and milk products [1], as last amended by the Act of Accession of Greece, and in particular Article 6 (7) thereof,

Whereas, under Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid [2], as last amended by Regulation (EEC) No 3474/80 [3], the successful tenderer is required to manufacture the butteroil to be delivered exclusively from butter made available to it for the purpose by the intervention agency ;

Whereas, in accordance with Commission Regulation (EEC) No 2896/80 [4], consignment B comprising 550 tonnes of butteroil was to be delivered by the successful tenderer which was to manufacture that butteroil in Belgium from butter coming from United Kingdom intervention stocks and deliver it to the port of embarkation ;

Whereas the competent Belgian authorities have found that, on arrival in Belgium, the consignment of butter made available by the United Kingdom intervention agency was 4·625 tonnes short ; whereas it is therefore appropriate to enable the successful tenderer to make a replacement delivery, to be effected using butter purchased on the market, so that the said tenderer can fulfil its obligation towards the Community to deliver a total of 550 tonnes of butteroil ;

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. By way of derogation from the provisions of Regulation (EEC) No 2896/80, in respect of consignment B, the Belgian intervention agency is hereby authorized to permit the successful tenderer to manufacture, by way of replacement of part of consignment B, a quantity of butteroil of up to four tonnes from butter or cream purchased by it on the market.

2. The replacement delivery referred to in paragraph 1 shall be made in accordance with the conditions for the delivery as originally envisaged.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 9 September 1981.

For the Commission

Poul DALSAGER

Member of the Commission

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(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 43, 15. 2. 1977, p. 1.
(3) OJ No L 363, 31. 12. 1980, p. 50.
(4) OJ No L 303, 12. 11. 1980, p. 21.