REGULATION (EEC) No 2299/73 OF THE COMMISSION

of 23 August 1973

amending Regulation (EEC) No 1519/72 as regards the undertakings which may process butter sold thereunder

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 the Act (2) concerning the Conditions of Accession and the Adjustments to the Treaties, and in particular Article 6 (7) thereof;

Having regard to Council Regulation (EEC) No 985/68 (3) 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 (4), and in particular Article 7a thereof;

Whereas it has been found that Articles 6 and 19 of Commission Regulation (EEC) No 1519/72 (5) of 14 July 1972 on the sale by tender of butter at reduced prices for the exportation of certain fat compounds, as last amended by Regulation (EEC) No 1992/73 (6), are not being interpreted in the same manner in all Member States, the matter at issue being whether the butter may be processed only in the approved undertaking to which the contract has been awarded; whereas the relevant provisions of the above-mentioned Regulation should therefore be clarified;

Whereas 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

In Article 6 of Regulation (EEC) No 1519/72, the first indent is replaced by the following:

'— it carries out one of the processes provided for in Article 19 in its own undertaking or causes it to be carried out under its own responsibility, on the basis of a contract, in another undertaking, on condition that the undertaking participating in the tender as well as the undertaking eventually charged by the formel with the processing are approved for that purpose by the Member States in whose territory they effect such operations, and'

Article 2

In Article 15 of Regulation (EEC) No 1519/72, the following is added to paragraph 2:

'and confirming that the undertaking in which the processing operations specified in Article 19 are to be carried out has been approved as required under Article 6.'

Article 3

Undertakings entered into in connection with a previous individual invitation to tender shall on the request of those concerned be adapted to accord with this Regulation.

Article 4

This Regulation shall enter into force on the third day following 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, 23 August 1973.

For the Commission

The President

François-Xavier ORTOLI

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 73, 27. 3. 1972, p. 14.
(3) OJ No L 169, 18. 7. 1968, p. 1.
(4) OJ No L 139, 17. 6. 1972, p. 18.
(5) OJ No L 162, 18. 7. 1972, p. 1.
(6) OJ No L 204, 25. 7. 1973, p. 12.