REGULATION (EEC) No 476/73 OF THE COMMISSION

of 8 February 1973

amending Regulation (EEC) No 71/73 on the sale of butter from public stocks

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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] 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;

Whereas, according to the provisions of Commission Regulation (EEC) No 71/73 [4] of 4 January 1973 on the sale of butter from public stocks, butter sold pursuant to this Regulation may be marketed within the Community and in third countries; whereas experience has shown that such butter should be reserved for export in order to avoid disturbances on the Community market;

Whereas, in order to ensure that the butter is actually exported, it is necessary to fix a time limit for export and to guarantee that this condition is observed by the giving of a security; whereas the amount of the security must be so calculated as to prevent the sale of the butter on the Community market; whereas it is indicated that such security is not to be released until the competent authorities have verified the exportation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (1) of Regulation (EEC) No 71/73 is replaced by the following:

'1. The butter shall be sold ex-cold-storage-depot at a price equal to the intervention price less 3 units of account per 100 kilogrammes.'

Article 2

Article 2 of Regulation (EEC) No 71/73 is supplemented by the following paragraph:

'5. The intervention agency shall sell the butter only if a security is given, at the latest when the contract of sale is concluded, equal to 3 units of account per 100 kilogrammes.

The security shall be given in the form either of a cheque made out to the intervention agency or of a guarantee satisfying the criteria determined by the Member States concerned, the choice lying with the Member State.

Except in cases of *force majeure*, the security shall only be released for the quantities in respect of which the purchaser furnishes the competent agency with proof that the butter has been exported without further processing with the specified Article 2 (a).'

Article 3

The following article is inserted in Regulation (EEC) No 71/73:

'*Article 2a*

The butter shall be exported within 30 days of the date on which it is taken over.'

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[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 12, 13. 1. 1973, p. 14.

Article 4

Butter sold by the intervention agencies in accordance with Regulation (EEC) No 71/73 before the entry into force of this Regulation shall not be affected by the provisions of this Regulation.

Article 5

This Regulation shall enter into force on the 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, 8 February 1973.

For the Commission

The President

François-Xavier ORTOLI