# REGULATION (EEC) N° 554/73 OF THE COMMISSION

## of 22 February 1973

## amending Regulation (EEC) No 1519/72 on the sale by tender of butter at reduced prices for the exportation of certain fat compounds

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] 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 ;

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 ;

Whereas experience has shown the scale of the operation provided for in Commission Regulation (EEC) No 1519/72 [6] of 14 July 1972 amended by Regulation (EEC) No 376/73 [7] may be extended in particular by broadening certain of the provisions of the Regulation ; whereas in particular a longer period than that laid down in Article 16 (2) for the taking over of butter should be applied, to give exporters greater security of supply ; whereas, in addition, the use of packaging of a capacity larger than that laid down in Article 22 should be provided for ; whereas the formalities for releasing the security in accordance with Article 25 (2) (c) can also be simplified ;

Whereas, moreover, in (a) and (b) of the first indent of Article 19 (2), the use as tracer of a compound based on triglycerides of enanthic acid is provided for ; whereas the present definition of the degree of purity required of this product can be interpreted in various ways, so that products are used which are not sufficiently reliable ; whereas the formula must therefore be rendered more precise ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

In the first subparagraph of Article 16 (2) of Regulation (EEC) No 1519/72, '30 days' is replaced by '4 months'.

*Article 2*

Article 19 (2) of Regulation (EEC) No 1519/72 is amended as follows :

1. The first indent of (a) is replaced by the following:

   '— 10 kg of triglycerides of enanthic (n-heptanoic) acid at least 95 % pure calculated as triglycerides on the product ready for incorporation.'

2. The first indent of (b) is replaced by the following:

   '— mixed, per 970 kg, with 30 kg of triglycerides of enanthic (n-heptanoic) acid, at least 95 % pure calculated as triglycerides on the product ready for incorporation, and thereafter.'

3. At the second indent of (b), the words 'not less than 26 % but not more than 40 %' are replaced by 'not less than 26 % but not more than 50 %'.

4. The following subparagraph is added to the end of paragraph 2 :

   'The competent agency shall make sure that the quality and characteristics, in particular the degree of purity, of the products to be incorporated have been observed.'

*Article 3*

Article 22 (b) of Regulation (EEC) No 1519/72 is replaced by the following :

'(b) of a net capacity of not more than 200 kg in the case of the product referred to in Article 19 (2) (b).'

(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 116, 28. 5. 1971, p. 1.
(5) OJ No L 291, 28. 12. 1972, p. 15.
(6) OJ No L 162, 18. 7. 1972, p. 1.
(7) OJ No L 39, 12. 2. 1973, p. 40.

*Article 4*

Article 23 of Regulation (EEC) No 1519/72 is replaced by the following :

'*Article 23*

The finished product shall be exported direct from the territory of the Member State in which the processing takes place to a third country within 3 months from the take-over date specified in Article 16 (2).'

*Article 5*

The indents of Article 24 (2) of Regulation (EEC) No 1519/72 are replaced by the following :

'— destiné à l'exportation au titre du règlement (CEE) n° 1519/72 après transformation et conditionnement en emballages métalliques, soit hermétiquement fermés d'un contenu de 2,500 kg au maximum, soit d'un contenu de 200 kg au maximum',

— Gemäß Verordnung (EWG) Nr. 1519/72 nach Verarbeitung und Verpackung in luftdicht verschlossenen Metallverpackungen mit einem Nettoinhalt von höchstens 2,5 kg oder in Metallverpackungen mit einem Nettoinhalt von höchstens 200 kg, zur Ausfuhr bestimmt',

'— destinato all'esportazione a norma del regolamento (CEE) n. 1519/72 dopo trasformazione e condizionato in imballaggi metallici, ermeticamente chiusi di un contenuto massimo di 2,5 kg oppure di un contenuto massimo di 200 kg',

'— bestemd om, overeenkomstig Verordening (EEG) nr. 1519/72 te worden uitgevoerd, na verwerking en verpakking in metalen verpakkingen, ofwel luchtdicht gesloten met een netto-inhoud van hoogstens 2,5 kg, ofwel met een netto-inhoud van hoogstens 200 kg',

'— for export pursuant to Regulation (EEC) No 1519/72 after processing and packaging in metal containers either hermetically sealed of a maximum capacity of 2·5 kg or of a maximum capacity of 200 kg.'

'— bestemt til eksport i henhold til forordning (EØF) nr. 1519/72 efter forarbejdning og pakning i metalemballager, enten hermetisk lukkede med et indhold af højst 2,5 kg, eller med et indhold af højst 200 kg.'

*Article 6*

Article 25 (2) (c) of Regulation (EEC) No 1519/72 is replaced by the following :

'(c) proof that the finished product has been exported to a third country : to this end Article 3, except the second indent of paragraph 1, and Articles 4 and 5 of Regulation No 1041/67/EEC shall apply by analogy.'

*Article 7*

Article 27 of Regulation (EEC) No 1519/72 is replaced by the following :

'The compensatory amounts provided for in Regulation (EEC) No 974/71 and the compensatory amounts foreseen in the Act annexed to the Treaty of Accession shall not be applicable to butter and to butter processed into the products specified in Article 19 which are sold pursuant to this Regulation.'

*Article 8*

The third indent of Article 30 (1) and of 30 (2) is deleted.

*Article 9*

This Regulation shall enter into force on 28 February 1973.

However, at the request of the parties concerned, obligations assumed under Article 6 of Regulation (EEC) No 1519/72 and arising form individual invitations to tender issued before 28 February 1973 shall be revised in line with this Regulation.

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

Done at Brussels, 22 February 1973.

*For the Commission*

*The President*

François-Xavier ORTOLI