REGULATION (EEC) No 71/73 OF THE COMMISSION

of 4 January 1973

on the sale of butter from public stocks

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] on 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) and Article 28 thereof ;

Whereas one feature of the Community butter market is the existence of large stocks following intervention under Article 6 (1) and (2) of Regulation (EEC) No 804/68 ;

Whereas, insofar as it is possible to dispose of this butter, provision must be made for measures which would facilitate its removal from storage and its exportation ;

Whereas Article 5 of 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, provides for the fixing of a minimum selling price ;

Whereas the conditions of sale should be further defined as regards the dates on which payment is due and on which the butter is taken over ;

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

Intervention agencies shall sell to any interested party butter bought in under Article 6 (1) of Regulation (EEC) No 804/68 which went into store before 1 November 1972.

Article 2

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

2. The butter shall be sold only in lots of 100 tons or more.

3. The buyer shall pay the intervention agency for the butter before the taking over referred to in paragraph 4.

4. The buyer shall take over the butter within 30 days of the day following the conclusion of the contract of sale. The butter may be taken over piecemeal.

If the butter has not been taken over within the specified time, the sale shall be cancelled in respect of the quantities remaining, except in cases of force majeur.

In such cases, storage costs incurred between the date on which the contract is concluded and the date on which the sale is cancelled shall be refunded to the intervention agency. These costs shall be calculated at a flat rate of 0·6 unit of account per ton per day.

Article 3

The Member States shall inform the Commission on the Tuesday of each week of the quantities of butter sold under 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, 4 January 1973.

For the Commission

The President

S. L. MANSHOLT

(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 169, 18. 7. 1968, p. 1.
(5) OJ No L 291, 28. 12. 1972, p. 15.