REGULATION (EEC) No 816/74 OF THE COMMISSION

of 5 April 1974

amending Regulations (EEC) No 71/73 and (EEC) No 1259/72 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 Regulation (EEC) No 419/74 (2), 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 Commission Regulation (EEC) No 71/73 (5) of 4 January 1973 on the sale of butter from public stocks, as last amended by Regulation (EEC) No 424/74 (6), and Commission Regulation (EEC) No 1259/72 (7) of 16 June 1972 on the disposal of butter at a reduced price to certain Community processing undertakings, as last amended by Regulation (EEC) No 576/74 (8), fixed 1 October 1973 and 1 September 1973 respectively as the dates before which the butter being put up for sale must have been brought into public storage; whereas this date should be altered to take account of the trend in butter stocks in the Community;

Whereas, when butter or concentrated butter processed therefrom is sold pursuant to Regulation (EEC) No 1259/72, the control copy referred to in Article 17 of that Regulation must contain certain information; whereas to ensure more effective supervision and at the same time to facilitate the release of the processing deposit, provision should be made for mentioning on the control copy referred to above the particular invitation to tender under which the butter in question was sold;

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

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 49, 21. 2. 1974, p. 2.
(3) OJ No L 169, 18. 7. 1968, p. 1.
(4) OJ No L 291, 28. 12. 1972, p. 15.
(5) OJ No L 12, 13. 1. 1973, p. 14.
(6) OJ No L 49, 21. 2. 1974, p. 10.
(7) OJ No L 139, 17. 6. 1972, p. 18.
(8) OJ No L 70, 13. 3. 1974, p. 24.

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 71/73 the words 'before 1 October 1973' are replaced by 'before 1 January 1974'.

Article 2

Regulation (EEC) No 1259/72 is amended as follows:

1. In Article 1 the words 'before 1 September 1973' are replaced by 'before 1 January 1974'.

2. The following words are added to Article 13 (1):

   '(d) the date of expiry of the time for submission of tenders for the particular invitation to tender by virtue of which the butter was sold.'

3. In the second subparagraph of Article 17 (1) (a) (aa) the words 'The date on which the butter was taken over and one of the following phrases shall be entered in section 106'.

   are replaced by:

   'Section 106 shall specify:

   — the date of expiry of the time limit for submission of tenders for the particular invitation to tender by virtue of which the butter was sold,

   — the date on which the butter was taken over by the successful tenderer,

   — one of the following phrases:'

4. In Article 17 (1) (b) the following provision is added at the end:

   'Section 106 shall specify:

   — the date of expiry of the time limit for submission of tenders for the particular invitation to tender by virtue of which the butter was sold,

— the date on which the butter was taken over by the successful tenderer.'

5. The second subparagraph of Article 17 (2) is replaced by the following :

'Sections 101, 103 and 104 of the control copy provided for in Article 1 of Regulation (EEC) No 2315/69 shall be completed.

Section 106 shall specify :

— the date of expiry of the time limit for submission of tenders for the particular invitation to tender by virtue of which the butter was sold,

— the date on which the butter was taken over by the successful tenderer.

Section 104 shall be completed by deleting what does not apply and by adding one of the following endorsements under the second indent :'

Article 3

This Regulation shall enter into force on the third following its publication in the *Official Journal of the European Communities.*

Article 2 is applicable from 10 April 1974.

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

Done at Brussels, 5 April 1974.

For the Commission

The President

François-Xavier ORTOLI