REGULATION (EEC) No 1263/75 OF THE COMMISSION

of 16 May 1975

amending Regulation (EEC) No 232/75 concerning the date of entry into storage of butter for sale and derogating from certain provisions relating to the products to be incorporated in such butter

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 740/75 (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 232/75 (5) of 30 January 1975 on the sale of butter at reduced prices for use in the manufacture of pastry products and ice-cream, as last amended by Regulation (EEC) No 522/75 (6), provides that the butter on sale must have been taken into storage before 1 August 1974; whereas, in view of the butter storage position in the Community, this date should be altered;

Whereas Article 6 (1) (b) of Regulation (EEC) No 232/75 and Annex I hereto provide for the incorporation into each metric ton of concentrated butter of 150 g of stigmasterol where such concentrated butter is to be processed into formula A products; whereas the interested parties are at present experiencing difficulty in obtaining adequate supplies of this product which has been newly introduced as an indicator by Regulation (EEC) No 232/75; whereas, consequently, provision should be made for the use during a short transitional period of another indicator or a smaller quantity of the said indicator, provided in this latter case appropriate control measures containing analysis of a high degree of sensitivity and requiring special laboratories should be taken by the Member States;

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 Article 1 of Regulation (EEC) No 232/75, the date '1 August 1974' is replaced by '1 November 1974'."

Article 2

1. By way of derogation from the first indent of Article 6 (1) (b) and Annex I to Regulation (EEC) No 232/75, Member States which have decided to use in their territory only the products in respect of which use has been made of the provision laid down in the last paragraph of items I (bb), II (bb), and/or III (bb) of the said Annex are authorized until 31 July 1975 to replace the use of 150 g of stigmasterol per metric ton of concentrated butter by:

80 g of stigmasterol (C_{29} H_{48} O = ΔΔ — 5,22- stigmastene-3-beta-ol), at the product ready for incorporation;

or:

10 kg of monoglycerides of fatty acids C_{16} and/or C_{18}, at least 90 % pure, calculated in monoglycerides on the product ready to be incorporated.

2. In the event of paragraph 1 being applied, the endorsements shown in Annex III (I) (cc) and (II) to Regulation (EEC) No 232/75 specifying the incorporation effected shall be used by replacing the word 'stigmasterol', where appropriate, by the words 'stigmasterol — application of Regulation (EEC) No 1263/75' or 'monoglycerides'.

3. The third paragraph of Article 6 (1) (b) of Regulation (EEC) No 232/75 is applicable *mutatis mutandis*.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 74, 22. 3. 1975, p. 1.
(3) OJ No L 169, 18. 7. 1968, p. 1.
(4) OJ No L 291, 28. 12. 1972, p. 15.
(5) OJ No L 24, 31. 1. 1975, p. 45.
(6) OJ No L 55, 1. 3. 1975, p. 69.

4. Where a Member State avails itself of the said authorization, the undertakings for butter sold by the intervention agency of that Member State pursuant to Regulation (EEC) No 232/75 submitted before the entry into force of this Regulation shall at the request of the parties concerned be adjusted to take account of paragraph 1.

Article 3

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, 16 May 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission