COMMISSION REGULATION (EEC) No 60/92

of 9 January 1992

amending Regulation (EEC) No 3378/91 laying down detailed rules for the sale of butter from intervention stocks for exports and amending Regulation (EEC) No 569/88

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 of 27 June 1968 on the common organization of the market in milk and milk products (1), as last amended by Regulation (EEC) No 1630/91 (2), and in particular Article 6 (7) and Article 28 thereof,

Whereas Commission Regulation (EEC) No 3378/91 (3) provides for quantities of butter in public storage to be made available to operators and invitations to tender to be organized in order, *inter alia*, to determine the minimum selling prices for butter intended for export either in the unaltered state or after processing; whereas the tenders referred to in Article 5 of that Regulation shall cover a minimum of 500 tonnes in total, originating in one or more Member States; whereas, accordingly, the quantity accepted may not necessarily correspond to the said minimum requirement; whereas tenders accepted should therefore be limited to products coming from a single Member State;

Whereas the security referred to in Article 7 (2) must be lodged in the Member State in which the concentrated butter is manufactured;

Whereas Article 10 (4) specifies the minimum milk fat content by weight of 100 kilograms of concentrated butter and the quantity of butter to be used; whereas the quantity of butter to be used should be adjusted if the milk fat content by weight of 100 kilograms of concentrated butter exceeds 99,8 %;

Whereas the competent authorities must be designated with a view to supervising the repackaging referred to in Article 9;

Whereas the sections to be completed in the documents referred to in Part II of the Annex to Commission Regulation (EEC) No 569/88 (4), as last amended by Regulation (EEC) No 44/92 (5), need to be amended;

Whereas the Management Committee for milk and milk products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3378/91 is hereby amended as follows:

1. Article 5 is amended as follows:
   - in paragraph 2:
     - subparagraph (b) is replaced by the following:
       '(b) the quantity applied for, specifying if the butter is to be exported unprocessed or after processing into concentrated butter,'
     - subparagraph (c) is replaced by the following:
       '(c) the intended country or countries of destination of the butter',
     - subparagraph (f) is deleted,
   - in paragraph 3, subparagraph (a) is replaced by the following:
     '(a) they cover a minimum of 500 tonnes';
2. in the second subparagraph of Article 8 (2), the term 'may be lodged' is replaced by the term 'shall be lodged';
3. in Article 10 (4) the following subparagraph is added:
   'However, if the milk fat content by weight exceeds 99,8 %, the quantity of butter to be used to produce a minimum of 100 kilograms of concentrated butter shall be increased to 122,5 kilograms.';
4. the first paragraph of Article 11 shall be replaced by the following:
   'The competent authorities of the Member States on whose territory the processing and repackaging operations referred to in Articles 9 and 10 are carried out shall supervise those operations.'

Article 2

In Part II of the Annex to Regulation (EEC) No 569/88, paragraph 40 is replaced by the following:

'40. Commission Regulation (EEC) No 3378/91 of 20 November 1991 laying down detailed rules for the sale of butter from intervention stocks for export (40):

(a) on the dispatch of the butter for processing:

Section 44 of the SAD or the most appropriate section of the document used:

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 150, 15. 6. 1991, p. 19.
(3) OJ No L 319, 21. 11. 1991, p. 40.
(4) OJ No L 55, 1. 3. 1988, p. 1.
(5) OJ No L 5, 10. 1. 1992, p. 9.

1. Destinada a la transformación y exportación posterior [Reglamento (CEE) nº 3378/91];

   Til forarbejdning og senere eksport [forordning (EØF) nr. 3378/91];

   Zur Verarbeitung und späteren Ausfuhr bestimmt [Verordnung (EWG) Nr. 3378/91];

   Προοριζόμενο για μεταποίηση και για μετέπειτα εξαγωγή [κανονισμός (ΕΟΚ) αριθ. 3378/91];

   Intended for processing and, subsequently, export [Regulation (EEC) No 3378/91];

   Destiné à la transformation et à l'exportation [règlement (CEE) nº 3378/91];

   Destinato alla trasformazione e alla successiva esportazione [regolamento (CEE) n. 3378/91];

   Bestemd om te worden verwerkt en vervolgens te worden uitgevoerd [Verordening (EEG) nr. 3378/91];

   Destinada à transformação e à exportação posterior [Regulamento (CEE) nº 3378/91];

2. time limit for submission of tenders under the special invitation to tender procedure;

(b) on the export of the finished product:

Section 44 of the SAD or the most appropriate section of the document used:

1. Mantequilla concentrada destinada a la exportación [Reglamento (CEE) nº 3378/91];

   Koncentreret smør bestemt til eksport [forordning (EØF) nr. 3378/91];

   Zur Ausfuhr bestimmtes Butterfett [Verordnung (EWG) Nr. 3378/91];

   Συμπυκνωμένο βούτυρο προοριζόμενο για εξαγωγή [κανονισμός (ΕΟΚ) αριθ. 3378/91];

   Concentrated butter for export [Regulation (EEC) No 3378/91];

   Beurre concentré destiné à l'exportation [règlement (CEE) nº 3378/91];

   Burro concentrato destinato all'esportazione [regolamento (CEE) n. 3378/91];

   Boterconcentraat bestemd voor uitvoer [Verordening (EEG) nr. 3378/91];

   Manteiga concentrada destinada à exportação [Regulamento (CEE) nº 3378/91];

2. the time limit for submission of tenders for the special invitation to tender;

3. the weight of the butter used to obtain the quantity of finished product indicated.'

Article 3

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, 9 January 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission