

REGULATION (EEC) No 1399/69 OF THE COUNCIL

of 17 July 1969

laying down general rules for the supply of milk fats to the World Food Programme

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 804/68¹ of 27 June 1968 on the common organization of the market in milk and milk products, and in particular Article 6 (6) thereof;

Having regard to the proposal from the Commission;

Whereas the second subparagraph of Article 6 (3) of Regulation (EEC) No 804/68 provides that special measures may be taken in respect of butter held in public storage which cannot be marketed on normal terms during a given milk year;

Whereas there are large stocks of butter on the Community market as a result of interventions under Article 21 (2) of Council Regulation No 13/64/EEC² of 5 February 1964 on the progressive establishment of a common organization of the market in milk and milk products, as last amended by Regulation No 1020/67/EEC,³ or under Article 6 (1) of Regulation (EEC) No 804/68;

Whereas the additional quantities of butter which those stocks represent cannot be marketed on normal terms during the current milk year; whereas, moreover, prolonged storage should be avoided because of the costs entailed;

Whereas on 21-22 April 1969 the Council decided to include milk products in a food aid programme;

Whereas the World Food Programme has made known its requirements of milk fat for its 1969/70 programme; whereas these fats can be supplied in the form of butteroil meeting certain quality criteria; whereas the supply of this product free of charge offers an outlet for surplus butter stocks and thus does away with storage costs for several years;

Whereas the amount of aid to be granted to the firms processing the butter and transporting the butteroil thus produced should be determined by bringing into competition interested firms established within the Community; whereas this can be achieved by the tendering procedure;

Whereas, for the operation to function properly, provision should be made for the competent authority of the Member State in whose territory processing takes place to be responsible for payment of the aid and for such payment to be made only after the quality and the packing of the product have been checked,

HAS ADOPTED THIS REGULATION:

Article 1

1. Butter which has been the subject of intervention measures under Article 21 (2) of Regulation No 13/64/EEC or under Article 6 (1) of Regulation (EEC) No 804/68 shall be made available to the World Food Programme in the form of butteroil.
2. For the purposes of this Regulation 'butteroil' shall be a product obtained exclusively from butter and meeting quality requirements to be determined.
3. The quantity of butteroil to be disposed of under the conditions laid down in this Regulation shall be 35 000 metric tons.

Article 2

1. For the purposes specified in Article 1 there shall be granted:
 - (a) an allowance covering the cost of processing butter held by an intervention agency, including transport costs from the warehouse to the processing factory and the costs of delivering the butteroil fob, and
 - (b) a fixed contribution towards the cost of forwarding and distributing the butteroil.

¹ OJ No L 148, 28.6.1968, p. 13.² OJ No 34, 27.2.1964, p. 549/64.³ OJ No 311, 21.12.1967, p. 14.

2. The allowance shall be granted to the processor. The contribution shall be granted to the agency responsible for distributing the butteroil in the recipient countries.

Article 3

1. The amount of the allowance shall be determined by the tendering procedure.

2. The competent bodies of the Member States shall invite tenders according to provisions to be determined.

Article 4

1. The allowance shall be paid only:

(a) if the successful tenderer has fulfilled the obligations laid down in the invitation to tender.

and

(b) if a check has shown that the quality and packing of the butteroil delivered conform to Community provisions.

2. Provision may be made for payments on account.

Article 5

The quantities of butter to be mobilized shall be decided in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, taking into account stocks held by the intervention agencies and the situation on the butter market.

Article 6

1. Each Member State shall designate a body responsible for implementing the measures laid down in this Regulation.

2. Payment of the allowance and the contribution and the check referred to in Article 4 shall be effected by the competent body of the Member State in whose territory processing took place.

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

Done at Brussels, 17 July 1969.

For the Council

The President

P. LARDINOIS