REGULATION (EEC) No 3583/73 OF THE COUNCIL

of 28 December 1973

laying down general rules for the supply of milk fats as food aid to the countries of the Sahel and Ethiopia

THE COUNCIL 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 products, as last amended by the Act [2] concerning the conditions of Accession and the Adjustments to the Treaties, and in particular Article 6 (6) thereof;

Having regard to the proposal from the Commission;

Whereas the countries of the Sahel and Ethiopia have made known their requirements as regards milk fats;

Whereas it will not be possible to dispose, on normal terms during the 1973/74 milk year, of the quantities of butter held by intervention agencies; whereas it is possible to grant food aid of 7 320 metric tons of butter in the form of 6 000 metric tons of butteroil;

Whereas to enable effective use to be made of the aid, provision should be made for the financing of the cost of transportation to the distribution points;

Whereas for the manufacture and transportation of butteroil, resort should normally be made to the tendering procedure by competition amongst interested undertakings established in the Community; whereas, however, for the sake of flexibility and speed, it might, in exceptional cases, be desirable to resort to a procedure of mutual agreement,

HAS ADOPTED THIS REGULATION:

Article 1

7 320 metric tons of butter held by intervention agencies shall be put at the disposal of the countries of the Sahel and Ethiopia as food aid, in the form of 6 000 metric tons of butteroil. The quantities for each beneficiary country and the means of financing them are laid down in the Annex to this Regulation.

Article 2

The processing of butter into butteroil, its packing and transportation from the factory to distribution points shall be covered by a tendering procedure. However, it shall be possible to resort to a procedure of mutual agreement for transportation to the cif stage, in emergency cases, or, from the cif stage to distribution points, if necessary.

Exceptionally, the cost of transportation from the cif stage to distribution points shall be wholly or partially paid to the recipient countries in the form of a cash contribution, if provided for in the Supply Agreement.

Article 3

The sums to be paid to the undertaking to which a contract is awarded as the result of an invitation to tender or privately shall be due only where:

(a) the undertaking satisfies the conditions laid down in the invitation to tender; and

(b) the quality and packing of the delivered product are found on inspection to conform to the relevant Community provisions.

Provision may be made for partial advance payment of such amounts.

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, 28 December 1973.

For the Council
The President
Ove GULDBERG

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[1] OJ No L 148, 28. 6. 1968, p. 13.
[2] OJ No L 73, 27. 3. 1972, p. 14.

ANNEX

Food-aid programme: Butteroil

Recipient country	Butteroil (metric tons)	Financing
Upper Volta	1 800	Distribution points
Mali	300	Distribution points
Mauritania	1 000	Distribution points
Niger	1 450	Distribution points
Chad	150	Distribution points
Ethiopia	1 300	Distribution points