REGULATION (EEC) No 1296/74 OF THE COMMISSION

of 21 May 1974

on the issue of an invitation to tender for the supply of butteroil as food aid to Mali

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 662/74 (2), and in particular Articles 6 (7) and 28 thereof;

Whereas Council Regulation (EEC) No 3583/73 (3) of 28 December 1973 laying down general rules for the supply of milk fats as food aid to the countries of Sahel and Ethiopia provides for 6 000 metric tons of butteroil processed from 7 320 metric tons of butter to be put at the disposal of those countries; whereas Mali has requested the supply of 300 metric tons of butteroil; whereas this supply must be put out to tender as provided in Commission Regulation (EEC) No 567/74 (4) of 8 March 1974 concerning the supply of butteroil as food aid to the countries of the Sahel and Ethiopia;

Whereas, however, the application of Regulation (EEC) No 567/74 requires that certain points be specified in greater detail, particularly the time limit for the submission of tenders and the terms of delivery of the butteroil;

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

Tenders shall be invited in accordance with Regulation (EEC) No 567/74 for the manufacture and delivery cif Abidjan of 300 metric tons of butteroil to Mali.

Article 2

The butter for the manufacture of butteroil shall be removed from the premises of the French intervention agency.

Article 3

1. Tenders are invited to determine the costs of manufacture and delivery of the butteroil incurred until the time when the presence of the goods in the hold of the ship at the port of unloading is verified. The country of destination shall bear all costs subsequent to delivery, including unloading costs (for example shifting, hoisting or reception costs) and any lighterage costs.

2. Any demurrage costs or dispatch money at the port of unloading shall be paid or received (as the case may be) by the country of destination. The rates of and rules governing such costs and dispatch money shall be specified in the contract between the successful tenderer, acting as agent for the Community, and the shipper, and shall be agreed upon in advance between the successful tenderer and the reception agent in the country of destination.

Article 4

1. The closing date for the submission of tenders shall be 11 June 1974 at 12 noon.

2. The French intervention agency shall be responsible for operations relating to the invitations to tender provided for in the previous Articles.

3. Loading shall take place as soon as possible and not later than 15 July 1974.

Article 5

The French Government shall:

1. ensure that the successful tenderer shall:

(a) notify the country of destination, as soon as possible after the goods have been loaded on board ship, of details of the ship, the loading date, the quantity and quality of the goods as recorded on shipment and the port of unloading;

(b) at least 10 clear days in advance, inform the country of destination of the expected date of arrival at the port of ship's unloading;

(c) have included in the terms of the charter-party a provision stipulating that the ship's captain shall, at least 72 hours in advance, notify the country of destination of the ship's probable date of arrival in port;

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 85, 28. 3. 1974, p. 51.
(3) OJ No L 359, 28. 12. 1973, p. 51.
(4) OJ No L 69, 12. 3. 1974, p. 3.

2. send to the Commission as soon as possible the information specified in paragraph 1 (a) and (b).

Article 6

1. The intervention agency shall take all measures necessary to ensure that the quantity of butteroil for which contracts are awarded is transported rapidly from the place of destination to the distribution points.

It shall negotiate private contracts for the costs of such transport on the best terms possible, account being taken of prevailing transport terms and of the urgency of delivery.

2. The distribution points provided for in paragraph 1 shall be designated by the authorities of the recipient country and shall be communicated by the Commission to the intervention agency concerned.

Article 7

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, 21 May 1974.

For the Commission

The President

François-Xavier ORTOLI