REGULATION (EEC) No 1571/74 OF THE COMMISSION

of 21 June 1974

amending Regulation (EEC) No 1296/74 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 Article 6 (7) thereof;

Whereas Commission Regulation (EEC) No 1296/74 (3) of 21 May 1974 provides that tenders are to be invited for the manufacture and delivery cif Abidjan of 300 metric tons of butteroil to Mali; whereas it has been discovered on examination of that Regulation that due to an oversight, which does not however affect the terms and conditions prescribed for the invitation to tender, no provision has been made as regards subsequent transportation to the distribution points for the costs of unloading at the port of disembarkation to be included in the items to be dealt with by private contract; whereas the provisions concerning unloading costs must be adapted;

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

Article 3 of Regulation (EEC) No 1296/74 is replaced by the following:

'*Article 3*

1. The invitation to tender shall be in respect of 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 French intervention agency shall bear all costs subsequent to delivery, including unloading costs (for example costs in respect of breaking bulk, lifting and hoisting, reception 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 French intervention agency. The rates and rules governing such costs and dispatch money shall be specified in the contract between the successful tenderer and the shipper, after being first agreed upon between the successful tenderer and the representative of the French intervention agency at the port of unloading.'

Article 2

Article 6 (1) of Regulation (EEC) No 1296/74 is replaced by the following:

'1. The intervention agency shall take all measures necessary to ensure that the quantity of butteroil for which contracts are awarded is unloaded at the port of unloading and transported rapidly to the distribution points.

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

Article 3

This Regulation shall enter into force on the day of 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 June 1974.

For the Commission

The President

François-Xavier ORTOLI

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 85, 29. 3. 1974, p. 51.
(3) OJ No L 140, 23. 5. 1974, p. 50.