REGULATION (EEC) No 573/74 OF THE COMMISSION

of 8 March 1974

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

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 419/74 [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 the 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 Niger and Upper Volta have requested the supply of 1 450 and 1 800 metric tons of butteroil respectively; whereas those supplies 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 of 3 250 metric tons of butteroil, divided up into the following lots:

— Lot A:

1 450 metric tons for Niger, to be delivered as follows:

390 metric tons to Tahoua via Cotonou,
390 metric tons to Niamey via Cotonou,
60 metric tons to Dosso via Cotonou,
210 metric tons to Zinder via Apapa,
200 metric tons to Maradi via Apapa,
200 metric tons to Diffa via Apapa;

— Lot B:

1 800 metric tons for Upper Volta, to be delivered as follows:

270 metric tons to Bobo-Dioulasso via Abidjan,
1 530 metric tons to Ouagadougou via Abidjan.

Article 2

The butter for the manufacture of butteroil shall be removed from the premises of the French intervention agency in the case of lot A and from the premises of the German intervention agency in the case of lot B.

Article 3

1. The tenders shall be for the cost of manufacturing the butteroil and delivering it to the places of destination specified in Article 1, including unloading costs.

2. Loading shall take place as soon as possible and be completed, at the latest, on

— 15 May 1974 in the case of lot A,
— 25 May 1974 in the case of the 270 t for Bobo-Dioulasso and the 400 t for Ouagadougou,
— 5 June 1974 in the case of the 400 t for Ouagadougou,
— 15 June 1974 in the case of the 400 t for Ouagadougou,
— 25 June 1974 in the case of the 330 t for Ouagadougou.

3. Delivery shall be completed when the goods actually arrive at the place of destination.

Article 4

1. The closing date for the submission of tenders shall be 26 March 1974 at 12 noon.

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

Article 5

The Government concerned shall notify the country of destination, the representative of the intervention

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 49, 21. 2. 1974, p. 2.
(3) OJ No L 359, 28. 12. 1973, p. 51.
(4) OJ No L 69, 12. 3. 1974, p. 3.

agency at the place of destination and the Commission

— 10 days before the goods' expected date of arrival, of the means of transport to be used to carry the goods to the place of destination, the means of shipment to be used during the intermediary phases, the date of loading and the quantity and quality of the goods as recorded on shipment from the Community;

— at least two days in advance of the date of arrival of the goods at the place of destination.

Article 6

1. The intervention agency concerned shall take all measures necessary to ensure that the butteroil for which a contract is 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 countries and shall be communicated by the Commission to the intervention agency concerned.

Article 7

When the delivery provided for in Article 3 (3) has been completed the representative of the intervention agency at the place of destination shall issue the successful tenderer with a certificate to the effect that delivery has been taken of the quantity of butteroil for which the contract was awarded.

Article 8

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, 8 March 1974.

For the Commission

The President

François-Xavier ORTOLI