REGULATION (EEC) No 1158/75 OF THE COMMISSION

of 29 April 1975

opening an invitation to tender for the supply of butteroil for shipment to certain third countries as food aid to the World Food Programme

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 740/75 (2), and in particular Article 6 (7) thereof ;

Whereas Council Regulation (EEC) No 530/74 (3) of 4 March 1974 laying down general rules for the supply of milk fats as food aid to certain developing countries and certain international organizations, provides *inter alia* that 15 000 metric tons of butteroil taken from butter stocks held by the intervention agencies are placed at the disposal of the World Food Programme ; whereas the latter has requested a consignment of 1 360 metric tons of butteroil from which 1 300 metric tons are for shipment to India and 60 metric tons to Pakistan ; whereas this consignment, which shall be considered as having been completed when the butteroil has been deposited in the port of embarkation at the place designated by the WFP or its agent, must be the object of a tender procedure in accordance with Commission Regulation (EEC) No 2121/74 (4) of 9 August 1974 concerning the supply of butteroil as food aid for the World Food Programme, as last amended by Regulation (EEC) No 529/75 (5) ;

Whereas to apply Regulation (EEC) No 2121/74 certain detailed information is however required, in particular as regards the time limit for the submission of tenders and the conditions 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

1. Tenders shall be invited, subject to the terms and conditions laid down in Regulation (EEC) No 2121/74, for the costs of manufacture and delivery of 1 360 metric tons of butteroil divided into the following lots :

— lot A : 400 metric tons for India,

— lot B : 400 metric tons for India,

— lot C : 500 metric tons for India,

— lot D : 60 metric tons for Pakistan.

2. The butter to be used for the manufacture of the butteroil shall be collected from the French intervention agency.

Article 2

1. With regard to quality the butteroil shall comply with the conditions laid down in heading I of the Annex.

2. The butteroil shall be put up as indicated in heading II of the Annex as regards lots A, B and C and in 5 kg canisters as regards lot D.

3. During the control specified in Article 11 (1) of Regulation (EEC) No 2121/74, the certificate concerning the packing and specified in the Annex shall be taken into account.

Article 3

1. The port of embarkation indicated in the tender shall be chosen from among the ports in the Community accessible for ocean-going ships and used for international freighters.

2. Delivery shall take place on a date to be specified by the intervention agency concerned after 13 and before 30 June 1975.

Article 4

The closing date for the receipt of tenders shall be 13 May 1975 at 12 noon.

Article 5

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 74, 22. 3. 1975, p. 1.
(3) OJ No L 65, 7. 3. 1974, p. 1.
(4) OJ No L 222, 12. 8. 1974, p. 10.
(5) OJ No L 56, 3. 3. 1975, p. 1.

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

Done at Brussels, 29 April 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

I. Quality requirements for butteroil

Characteristics of the product : concentrated milk fat with a minimum pure fat content of 99·8 %.

Composition characteristics :

moisture content and non-milk fat constituents : maximum 0·2 %,

fats : minimum 99·8 %,

free fatty acids : maximum 0·5 % (oleic acid),

amount of peroxide/kg : maximum one unit (in milliequivalents of oxygen per kg),

flavour : fresh,

smell : absence of smells unconnected with butteroil.

II. Packaging of butteroil

1. The butteroil is to be packed in metal canisters fully filled and hermetically sealed in an atmosphere of nitrogen.

   The metal canisters are packed in cartons containing :

   — either four 5 kg canisters, or

   — one 20 kg canister.

The complete packaging should be strong enough to withstand a long sea journey and transportation by land in a tropical climate.

Closed cartons, as prepared for delivery, containing either one 20 kg metal canister or four 5 kg canisters 95 % full of water, must be able to resist :

(a) three falls from a height of one metre on three different edges relating to different axes ; this test, for which five complete packagings are to be used, must be effected in accordance with ISO standard No 2248. After the tests :

   — the metal canisters may be crushed out of shape but no leakage must occur after elimination of the vacuum ;

   — the cartons may be damaged and show small tears in the seams and sealed flaps but seams must not be completely torn and flaps must not have come unstuck or be torn off ;

   — the damage must not be such as to endanger the safe transport of the canister(s) in the carton ;

(b) a compression test in accordance with ISO standard Nos 2872 and 2874. For this test, each complete packaging is placed separately, in the normal transportation position, between the plates of the press.

   During the test, the relative speed of the plates is 10 mm/minute.

   The criteria of approval is that, after applying a pressure of 3 500 kg/m² over the base area, the entire packging (metal canisters and carton) may get slightly out of shape but must keep its entirety. Five complete packagings must be tested.

   Before the tests, the complete, filled packagings are subjected to the following treatment in accordance with ISO standard No 2233 : storage for 48 hours at 25 °C with a relative humidity of 90 %.

The conformity of the cardboard carton with the standards defined above must have been verified by a packaging institute approved by the Member State concerned which shall issue the appropriate certificate and test report together with the description of the technical characteristics of the packaging material.

The intervention agency shall ensure that the packaging used shall conform to the type specified in the abovementioned certificate.

2. *Markings on the packaging :*

The metal canister shall have stamped upon it the following information in the language or languages specified in the Regulation of the individual invitation to tender :

(a) the description : 'Butteroil' ;

(b) the words : 'Gift of the European Economic Community' ; with the addition of 'Supplied by the World Food Programme' ;

(c) the net weight ;

(d) the month and year of manufacture ;

(e) the name of the processing undertaking — in the form of a code number.

In addition to the above, the following must be marked on the two sides of each carton : the manufacturer's lot number and the number of cartons making up the lot.