REGULATION (EEC) No 2684/75 OF THE COMMISSION

of 21 October 1975

concerning an invitation to tender for the supply of butteroil as food aid to UNICEF for India

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 1542/75 (3) of 16 June 1975 for the supply of milk fats under the 1975 food-aid programme to certain developing countries and to certain international organizations, provides *inter alia* for the supply to UNICEF of 2 000 metric tons of butteroil obtained from butter held by the intervention agencies; whereas UNICEF has requested the supply of 150 metric tons;

Whereas Article 5 of Council Regulation (EEC) No 1541/75 (4) of 16 June 1975 laying down general rules for the supply of milk fats under the 1975 food-aid programme to certain developing countries and to certain international organizations, requires tenders to be invited for such supplies;

Whereas the tendering procedure is effected following the provisions of Commission Regulation (EEC) No 2247/75 (5) of the 29 August 1975, concerning invitations to tender for the costs of manufacture and delivery of butteroil as food aid to certain developing countries and to the World Food Programme; whereas it is still necessary to add a number of details, particularly as regards the time limit for the submission of tenders and the terms of supply;

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 are hereby invited, pursuant to Regulation (EEC) No 1541/75, for the manufacture and delivery of a lot of 150 metric tons of butteroil to UNICEF for India, to be delivered cif Bombay, in accordance with Article 2.

2. Subject to the special provisions contained hereinafter, the provisions of Regulation (EEC) No 2247/75 shall supply by analogy to the tendering procedure and to the terms for manufacture and delivery of the butteroil.

Article 2

1. Tenders are invited to determine costs incurred in the manufacture, packaging and delivery of the butteroil between removal of the butter from the intervention agency's storage depots and the time when the butteroil is actually placed on the quay or on board a lighter at the port of unloading.

2. Any demurrage costs at the port of unloading due to delays attributable to the recipient organization shall be borne by it. The rates of and rules governing such costs shall be laid down in the contract between the successful tenderer and the shipper and shall be agreed upon in advance between the successful tenderer acting as agent for the Community and the reception agent of the recipient organization.

Article 3

1. The butter which is to be manufactured into butteroil shall be removed from the premises of the Dutch intervention agency.

2. The quality and packaging of the butteroil shall satisfy the requirements laid down in the Annex to Regulation (EEC) No 2247/75; it shall be put up exclusively in 5 kg canisters.

The wording referred to in Chapter II (2) (b) of the said Annex, to be marked on the packaging shall be the following:

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 74, 22. 3. 1975, p. 1.
(3) OJ No L 157, 19. 6. 1975, p. 6.
(4) OJ No L 157, 19. 6. 1975, p. 4.
(5) OJ No L 229, 30. 8. 1975, p. 60.

'Butteroil — Gift of the European Economic Community — Action of the United Nations Children's Fund (UNICEF)'.

3. Loading shall take place as soon as possible and not later than 30 December 1975.

Article 4

The time limit for the submission of tenders is 18 November 1975 at 12 noon.

Article 5

1. The intervention agency concerned shall as soon as possible notify the recipient body of the name of the vessel, the date of loading, the quantity and the quality of the goods as recorded at time of loading and the port of unloading.

2. The successful tenderer shall inform the recipient at least 10 clear days in advance of the expected date of arrival of the ship in the port of unloading. The successful tenderer shall have included in the terms of the charter-party a provision stipulating that the ship's captain shall inform the recipient at least 72 hours in advance of the ship's probable date of arrival in port.

Article 6

This Regulation shall enter into force on the 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 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission