REGULATION (EEC) No 770/75 OF THE COMMISSION

of 21 March 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 1 494 metric tons of butteroil for shipment to certain third countries;

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 1 494 metric tons of butteroil to certain third countries and divided into the following lots:

Lot A: 490 metric tons in which:

— 410 metric tons for Pakistan,
— 20 metric tons for Nepal,
— 60 metric tons for Indonesia.

Lot B: 665 metric tons for the Arab Republic of Egypt.

Lot C: 339 metric tons in which:

— 198 metric tons for Cyprus,
— 21 metric tons for Mali,
— 100 metric tons for the Democratic Republic of Yemen,
— 20 metric tons for South Yemen.

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 to this Regulation.

2. The butteroil shall be put up as indicated in heading II of the Annex, in 5 kg canisters except for the supply of 20 metric tons to Nepal which shall be put up in 20 kg canisters.

3. During the control specified in Article 11 (1) of Regulation (EEC) No 2121/74, the certificates 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 French intervention agency after 11 and before 27 May 1975.

(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.

Article 4

The closing date for the receipt of tenders shall be 8 April 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.*

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

Done at Brussels, 21 March 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 canisters should be strong enough to withstand a long sea journey and transportation by land in a tropical climate.

   The cylindrical or cubiform metal canister must pass the following test:

   — *5 kg canister:* when filled to 95 % of its nominal capacity with water at 20° C, it must not leak after dropping from a height of 86 cm on to the edge of the top or of the bottom.

     Number of samples necessary: 20 (10 on the bottom and 10 on the lid).

   — *for 20 kg canisters,* the same but from a height of 60 cm.

   The conformity of the metal canister used with the standards defined above must have been verified by a packaging institute approved by the Member State concerned, delivering an appropriate certificate.

2. The metal canisters are packed in cartons containing:

   — either four 5 kg canisters, or

   — one 20 kg canister.

   The cardboard used in the manufacture of the cartons shall be water-resistant. After 24 hours immersion in water, its rupture index (Mullen index) shall be not less than 15 kg/cm^2. Its rupture index (Mullen index) shall be not less than 29 kg/cm^2 for the cardboard of the carton and not less than 13 kg/cm^2 for the cardboard which separates the 5 kg canisters. The carton shall be firmly sealed with adhesive applied to the entire surface area of the upper and lower flaps. The sealing of the carton shall be reinforced by a self-adhesive band or a hoop made of plastic or any other suitable material.

   The sealed carton containing either a 20 kg metal canister or four 5 kg canisters filled to 95 % of their capacity with water must resist three falls from a height of 1·20 m on three different edges belonging to different axes.

   The conformity of the cardboard carton used with the standards defined above must have been verified by a packaging institute approved by the Member State concerned which shall issue a corresponding certificate.

3. *Markings on the packaging :*

The metal canister shall have stamped upon it the following information :

(a) the description 'butteroil' ;

(b) the words, in the language or languages specified in the notice of invitation to tender : 'Gift of the European Economic Community, 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, the number of cartons making up the lot and the place of destination specified in the notice of invitation to tender.