COMMISSION REGULATION (EEC) No 2585/76

of 25 October 1976

on the invitation to tender for the supply of butteroil as food aid to the Catholic Relief Service and to UNICEF

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 of 27 June 1968 on the common organization of the market in milk and milk products (1), as last amended by Regulation (EEC) No 559/76 (2), and in particular Article 6 (7) thereof,

Whereas Council Regulation (EEC) No 1542/75 of 16 June 1975 on the supply of milk fats under the 1975 food-aid programme to certain developing countries and to certain international organizations (3), provides for a reserve of 4 550 metric tons of butteroil obtained from butter held by the intervention agencies; whereas, in accordance with Council Regulation (EEC) No 2024/76 of 27 July 1976 on the emergency supply of butteroil to the Catholic Relief Service for distribution to certain sections of the population of Chile as food aid pursuant to Regulation (EEC) No 1542/75 (4), 400 metric tons of this reserve shall be allocated to the Catholic Relief Service; whereas this organization has requested the supply of this quantity;

Whereas Council Regulation (EEC) No 695/76 of 25 March 1976 on the supply of milk fats to certain developing countries and international organizations under the 1976 food-aid programme (5), provides *inter alia* for the supply to UNICEF of 2 000 metric tons of butteroil obtained from butter held by the intervention agencies; whereas, in accordance with Council Regulation (EEC) No 1527/76 of 21 June 1976 on the emergency supply of butteroil to the Office of the United Nations High Commissioner for Refugees and the United Nations Children's Fund as food aid for the people of Vietnam under Regulation (EEC) No 1542/75 (6), 600 metric tons of the reserve provided for in Regulation (EEC) No 1542/75 shall be allocated to UNICEF; whereas UNICEF has requested the supply of 1 761 metric tons of butteroil of which 300 metric tons remain to be supplied in pursuance of Regulation (EEC) No 1527/76 and 1 461 metric tons may be supplied in pursuance of Regulation (EEC) No 695/76;

Whereas Article 5 of Council Regulation (EEC) No 694/76 of 25 March 1976 laying down general rules for the supply of milk fats to certain developing countries and international organizations under the 1976 food-aid programme (7), requires tenders to be invited for such supplies;

Whereas the tendering procedure is effected following the provisions of Commission Regulation (EEC) No 2247/75 of 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 (8), as last amended by Regulation (EEC) No 2212/76 (9); 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 invited, pursuant to the provisions laid down in Regulations (EEC) No 695/76, (EEC) No 1527/76 and (EEC) No 2024/76, for the manufacture and the delivery to the Catholic Relief Service of 400 metric tons and to UNICEF of 1 761 metric tons of butteroil divided into the lots and for the destinations stipulated in the Annex to this Regulation.

2. Delivery is to be effected at the ports of unloading and on the dates also specified in the Annex.

3. The provisions of Regulation (EEC) No 2247/75 shall apply by analogy to the tendering procedure and to the terms for manufacture and delivery of the butteroil.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 67, 15. 3. 1976, p. 9.
(3) OJ No L 157, 19. 6. 1975, p. 6.
(4) OJ No L 224, 16. 8. 1976, p. 9.
(5) OJ No L 170, 29. 6. 1976, p. 1.
(6) OJ No L 83, 30. 3. 1976, p. 6.
(7) OJ No L 83, 30. 3. 1976, p. 4.
(8) OJ No L 229, 30. 8. 1976, p. 60.
(9) OJ No L 249, 11. 9. 1976, p. 5.

Article 2

1. The butter which is to be manufactured into butteroil shall be removed

— as regards Lots A to H
from the French intervention agency,

— as regards Lots I to L
from the German intervention agency.

2. The butteroil, which shall meet the quality and packing requirements laid down in the Annex to Regulation (EEC) No 2247/75, shall be put up exclusively in 5 kg canisters.

3. The packing of the butteroil shall bear the inscription stipulated in the Annex, as the case may be, in letters at least one centimetre high.

4. The time limit for the submission of tenders shall be 12 noon on 23 November 1976.

Article 3

1. Delivery at the port of unloading shall be considered as completed when the goods are actually deposited on the quayside at the port of unloading or on lighters where the latter method is used.

2. On delivery at the port of unloading the organization shall issue to the successful tenderer a taking-over letter which replaces the certificate specified in Article 15 of Regulation (EEC) No 2247/75.

3. The organization of destination shall be responsible for all expenditure incurred after delivery, including acceptance costs.

Any demurrage costs at the port of unloading due to delays for which the recipient organization is responsible shall be borne by that country.

The rates and conditions of such demurrage to be laid down in the contract between the successful tenderer and the carrier must be agreed in advance between the successful tenderer acting as agent for the Community and the receiving agent of the recipient organization.

Article 4

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

2. The successful tenderer shall inform the recipient organization at least 10 days before the anticipated date. The successful tenderer has a clause inserted in the charter party obliging the captain to give the country of destination at least 72 hours notice of the probable date of arrival of vessel in port.

Article 5

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, 25 October 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

Recipient agency	Designation of each lot	Quantity (metric tons)	Port of unloading	Date of embarkation at the latest	Marking on the packing
Catholic Relief Service	A	107	Coquimbo (Chile)	20. 12. 1976	Butteroil / Donación de la Comunidad Economica Europea para Cathwell Chile / Destinado a la distribución gratuita
	B	112	Valparaiso (Chile)		
	C	181	Talcahuano (Chile)		
UNICEF	D	447	Haiphong (Vietnam)	20. 12. 1976	Butter oil / Don de la Communauté économique européenne à l'Unicef en faveur du peuple du Viêt-nam
	E	300	Haiphong (Vietnam)	15. 1. 1977	
	F	135	Dar-Es-Salaam (Tanzania)	15. 1. 1977	Butteroil / Gift of the European Economic Community / Action of UNICEF
	G	135	Dar-Es-Salaam (Tanzania)	15. 2. 1977	
	H	144	Aden (Yemen)	15. 1. 1977	
	I	120	Luanda (Angola)	20. 12. 1976	Butteroil / Dom da Comunidade Económica Europeia / Acção do UNICEF
	K	240	Luanda (Angola)	15. 1. 1977	
	L	240	Luanda (Angola)	2. 3. 1977	