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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2328/77

of 25 October 1977

on the delivery of various consignments 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 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,

Having regard to Council Regulation (EEC) No 694/76 of 25 March 1976 laying down general rules for the supply of milk fats under the 1976 food-aid programme to certain developing countries and to certain international organizations (3), and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No 1768/77 of 25 July 1977 laying down general rules for the supply of milk fats to certain developing countries and international organizations under the 1977 food-aid programme (4), and in particular Article 7 thereof,

Whereas, under the food-aid programmes adopted by the Council Regulations specified in the Annex, certain third countries and the World Food Programme have requested the delivery of the quantities of butteroil set out therein ;

Whereas, therefore, delivery should be effected in accordance with the rules laid down in Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid (5) ; whereas in particular the periods and terms for delivery and the procedure to be followed by the intervention agencies to establish the costs arising therefrom should be laid down ;

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

In accordance with the provisions of Regulation (EEC) No 303/77 the intervention agencies as referred to in the Annex shall deliver butteroil as food aid on the special terms set out therein.

Article 2

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, 25 October 1977.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 67, 15. 3. 1976, p. 9.
(3) OJ No L 83, 30. 3. 1976, p. 4.
(4) OJ No L 192, 30. 7. 1977, p. 5.
(5) OJ No L 43, 15. 2. 1977, p. 1.

ANNEX (1)

Consignment	A	B	C	D
1. Application of Council Regulations : (a) legal basis (b) affectation	(EEC) No 1768/77 (EEC) No 1769/77 (1977 Programme)			
2. Beneficiary	Republic of Zambia		Arab Republic of Egypt	
3. Country of destination				
4. Total quantity of the consignment	550 tonnes	300 tonnes	500 tonnes	500 tonnes
5. Intervention agency responsible for delivery	French		Dutch	
6. Origin of the butteroil (2)	to manufacture from intervention butter			
7. Special characteristics and/or packaging (3)	in 5 kg canisters, coated internally with food can varnish or having undergone treatment giving equivalent guarantees			
8. Markings on the packaging	'Butteroil / Gift of the European Economic Community to Zambia / For free distribution'	'Butteroil/Gift of the European Economic Community to Egypt'		
9. Delivery period	loading at the latest by 15 January 1978	after 15 and before 31 January 1978		
10. Stage and place of delivery	port of unloading (5) Dar-es-Salaam (ship's hold)	port of loading of the Community		
11. Representative of the beneficiary responsible for reception (4)	Zambia High Commission, PO Box 2525, Dar-es-Salaam	—		
12. Procedure to be applied to determine the costs of supply	tender			
13. Expiry of the time limit for submission of tenders at 12 noon on :	7 November 1977			

Consignment	E	F	G	H	I
1. Application of Council Regulations :					
(a) legal basis	(EEC) No 1768/77			(EEC) No 694/76	
(b) affectation	(EEC) No 1769/77 (1977 Programme)			(EEC) No 695/76 (1976 Programme)	
2. Beneficiary	Arab Republic of Egypt			WFP	
3. Country of destination				India	
4. Total quantity of the consignment	500 tonnes	500 tonnes	500 tonnes	500 tonnes	555 tonnes
5. Intervention agency responsible for delivery	German			German (6)	German (6)
6. Origin of the butteroil (2)	to manufacture from intervention butter				
7. Special characteristics and/or packaging (3)				By way of derogation from Annex II to Regulation (EEC) No 303/77 the maximum content of free fatty acids is fixed at 0·3 % (expressed in oleic acids) and the index of peroxide at 0·5 maximum (in milliequivalent of active oxygen per kg)	
	in 5 kg canisters, coated internally with food can varnish or having undergone treatment giving equivalent guarantees				
8. Markings on the packaging	'Butteroil / Gift of the European Economic Community to Egypt'			'Butteroil / Supplied by World Food Programme / Gift of the European Economic Community / ...' followed by the project number and port of unloading which are :	
				'India 259 exp. / Bombay'	for 120 tonnes : 'India 2299/Bombay' for 85 tonnes : 'India 572 t / Bombay' for 350 tonnes : 'India 1047e / Bombay'
9. Delivery period	after 10 and before 28 Februrary 1978			after 15 and before 31 January 1978	
10. Stage and place of delivery	port of loading of the Community				
11. Representative of the beneficiary responsible for reception (4)	—	—	—	—	—
12. Procedure to be applied to determine the costs of supply	tender				
13. Expiry of time limit for submission of tenders at 12 noon :	7 November 1977				

Consignment	K	L	M	N
1. Application of Council Regulations : (a) legal basis (b) affectation	(EEC) No 694/76 (EEC) No 695/76 (1976 Programme)			
2. Beneficiary	WFP			
3. Country of destination	India	10 tonnes : Nepal 360 tonnes : India	India	
4. Total quantity of the consignment	350 tonnes	370 tonnes	609 tonnes	470 tonnes
5. Intervention agency responsible for delivery	German (6)		Dutch (6)	
6. Origin of the butteroil (2)	to manufacture from intervention butter			
7. Special characteristics and/or packaging (3)	By way of derogation from Annex II to Regulation (EEC) No 303/77 the maximum content of free fatty acids is fixed at 0·3 % (expressed in oleic acids) and the index of peroxide at 0·5 maximum (in milliequivalent of active oxygen per kg) / In 5 kg canisters, coated internally with food can varnish or having undergone treatment giving equivalent guarantees			
8. Markings on the packaging	'Butteroil / Supplied by World Food Programme / Gift of the European Economic Community /...' followed by the project number and port of unloading which are :			
	'India 1047e/Bombay'	for 10 tonnes : 'Nepal 2232 / Calcutta (in transit to Nepal)' for 260 tonnes : 'India 1047e/ Calcutta' for 100 tonnes : 'India 620 / Madras'	'India 2206q/Calcutta'	for 190 tonnes : 'India 2206q/ Paradeep' for 190 tonnes : 'India 2206q/ Kandla' for 45 tonnes : 'India 2206q/ Bombay' for 45 tonnes : 'India 2206q/ Cochin'
9. Delivery period	after 15 and before 31 January 1978		after 15 and before 28 February 1978	
10. Stage and place of delivery	port of loading of the Community			
11. Representative of the beneficiary responsible for reception (4)	—	—	—	—
12. Procedure to be applied to determine the costs of supply	tender			
13. Expiry of time limit for submission of tenders at 12 noon on :	7 November 1977			

Consignment	O	P
1. Application of Council Regulations :		
(a) legal basis	(EEC) No 1768/77	
(b) affectation	(EEC) No 1769/77 (1977 Programme)	
2. Beneficiary	Jordan	
3. Country of destination		
4. Total quantity of the consignment	500 tonnes	500 tonnes
5. Intervention agency responsible for delivery	German	Dutch
6. Origin of the butteroil (2)	to manufacture from intervention butter	
7. Special characteristics and/or packaging (3)	in 5 kg canisters, coated internally with food can varnish or having undergone treatment giving equivalent guarantees	
8. Markings on the packaging	'Butteroil/Gift of the European Economic Community to the Hashemite Kingdom of Jordan/For free distribution'	
9. Delivery period	after 15 and before 31 January 1978	
10. Stage and place of delivery	port of loading of the Community	
11. Representative of the beneficiary responsible for reception (4)	—	—
12. Procedure to be applied to determine the costs of supply	tender	
13. Expiry of the time limit for submission of tenders at 12 noon on :	7 November 1977	

Notes

(1) This Annex, together with the notice published in OJ No C 95, 19. 4. 1977, p. 7, takes the place of an invitation to tender from the intervention agencies concerned.

(2) In cases where the goods come from intervention stocks, an additional notice stating the warehouses where the product is stored will be published in the *Official Journal of the European Communities*, C edition.

(3) Other than those set out in Annex II to Regulation (EEC) No 303/77.

(4) Only in the case of delivery 'to the port of unloading' and 'free at destination'; see Article 5 and the last indent of Article 13 (1) of Regulation (EEC) No 303/77.

(5) When the unloading at the port of Dar-es-Salaam is carried out under the supervision of an agency approved by the recipient country, the intervention agency may accept, in the place of the supporting documents referred to in Article 21a of Regulation (EEC) No 303/77, an official statement from such supervising agency certifying that the quantities concerned have been delivered to the port of unloading, Dar-es-Salaam (ship's hold), and unloaded in this port.

(6) In accordance with Article 4 of Regulation (EEC) No 694/76, the intervention agency guarantees, within 30 days after taking delivery of the butteroil by the WFP, payment to this intervention agency of a contribution of 79 units of account for each tonne of butteroil delivered, towards transport and distribution costs of the butteroil.