COMMISSION REGULATION (EEC) No 367/77

of 22 February 1977

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

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 *inter alia* that 16 000 tonnes of butteroil obtained from butter held by the intervention agencies shall be made available to the World Food Programme (WFP);

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 (4), provides *inter alia* that 16 000 tonnes of butteroil obtained from butter held by the intervention agencies shall be made available to the World Food Programme (WFP); whereas the WFP has made a request for the delivery of 5 956 tonnes of butteroil for certain third countries of which 2 800 tonnes are still to be delivered according to Regulation (EEC) No 1542/75;

Whereas Article 5 of Council Regulation (EEC) No 1541/75 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 (5), as well as 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 (6), 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 or the costs of manufacture and delivery of butteroil as food aid to certain developing countries and to the World Food Programme (7), as last amended by Regulation (EEC) No 2402/76 (8); whereas it is still necessary to add a number of details particularly as regards the time limit for 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, as provided in Regulations (EEC) No 1541/75, (EEC) No 1542/75, (EEC) No 694/76 and (EEC) No 695/76, for the costs of manufacture and delivery to the WFP of 5 956 tonnes of butteroil divided according to the lots and destinations mentioned in the Annex to this Regulation.

2. As regards to the tendering procedure as well as the conditions of manufacture and delivery of the butteroil, the provisions of Regulation (EEC) No 2247/75 shall apply notwithstanding special provisions hereinafter.

Article 2

1. The butter to be used in manufacturing the butteroil shall be taken over from the intervention agencies mentioned in the Annex.

2. The butteroil, which shall meet the requirements as to quality and packing laid down in the Annex to Regulation (EEC) No 2247/75 shall be put up only in containers of five kilograms.

(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 83, 30. 3. 1976, p. 6.
(5) OJ No L 157, 19. 6. 1975, p. 4.
(6) OJ No L 83, 30. 3. 1976, p. 4.
(7) OJ No L 229, 30. 8. 1975, p. 60.
(8) OJ No L 270, 2. 10. 1976, p. 23.

3. The marking to be indicated on the containers in accordance with Chapter II (2) (b) of the Annex mentioned in the preceding paragraph shall be the following :

'Butteroil / Gift of the European Economic Community / World Food Programme action'.

This wording shall be followed by the port of unloading mentioned in the Annex.

Article 3

1. The port of embarkation indicated in the tender shall be chosen from among ports in the Community accessible for ocean-going ships having a regular service with the recipient country.

Only one port may be indicated in the tender.

2. Delivery at the port of embarkation shall take place on a date to be fixed by the intervention agency concerned and which shall be on the dates indicated in the Annex.

Article 4

1. As regards lots B and E, by way of derogation from Article 4 (2) of Regulation (EEC) No 2247/75, the tenderer shall specify for how many partial quantities his tender is valid.

2. The time limit for the submission of tenders is 8 March 1977 at 12 noon.

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, 22 February 1977.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Supplying intervention agency	Lot	Total quantity of lot (tonnes)	Partial quantities (tonnes)	Recipient country/ port of unloading	Delivery at the port of unloading
Belgian	A	566	429 107 30	India/Calcutta India/Kandla India/Cochin	After 15 and before 30 April 1977
German	B	1 200	Three partial quantities of 400	India/Bombay	
German	C	500	500	India/Calcutta	
German	D	534	200 334	India/Madras India/Bombay	
French	E	1 016	Two partial quantities of 508	India/Bombay	
French	F	500	500	India/Calcutta	
French	G	305	250 55	India/Madras Tanzania/Dar es Salaam	
Dutch	H	540	540	Sudan/Port Sudan	After 15 and before 31 May 1977
Belgian	I	415	255 160	Sudan/Mombasa Yemen/Aden	
Dutch	K	380	380	Egypt/Alexandria	