COUNCIL REGULATION (EEC) No 743/77

of 5 April 1977

laying down general rules for the supply of butteroil to the Republic of India under the 1977 food-aid programme

THE COUNCIL 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 (6) thereof,

Having regard to the proposal from the Commission,

Whereas the Republic of India has made known its requirements in milk fats; whereas these fats may be supplied in the form of butteroil produced within the Community and meeting certain quality standards;

Whereas the amounts of butter held by the intervention agencies are sufficient to permit food aid to be supplied in the form of 3 000 tonnes of butteroil;

Whereas delivery must be made at the cheapest possible price; whereas, in order to achieve that aim, provision should be made for a tendering procedure,

HAS ADOPTED THIS REGULATION:

Article 1

A quantity of 3 000 tonnes of butteroil shall be made available to the Republic of India under the 1977 food-aid programme.

Article 2

The butteroil referred to in Article 1 shall be processed from butter purchased in accordance with Article 6 (1) of Regulation (EEC) No 804/68.

Article 3

For the purposes of Article 1, the cost of the butteroil delivered to the port of shipment or to a corresponding stage, shall be financed by the Community.

Article 4

Contracts for delivery of the product, including packing, labelling and forwarding to the port of shipment or to a corresponding stage shall be put out to tender.

Article 5

The sums to be paid to the undertaking selected shall be due only if:

(a) the undertaking satisfies the conditions laid down in the invitation to tender; and

(b) the quality and packing of the delivered product are found on inspection to comply with the relevant Community provisions.

Provision may be made for part of such sums to be paid in advance.

Article 6

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 Luxembourg, 5 April 1977.

For the Council

The President

D. OWEN

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[1] OJ No L 148, 28. 6. 1968, p. 13.
[2] OJ No L 67, 15. 3. 1976, p. 9.