COMMISSION REGULATION (EEC) No 1268/78

of 8 June 1978

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 1038/78 (2), and in particular Article 6 (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 under the 1977 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 830/78 of 25 April 1978 laying down general rules for the supply of milk fats under the 1978 food-aid programme to certain developing countries and to certain international organizations (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 beneficiary organizations 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 specified 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, 8 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 138, 22. 5. 1978, p. 4.
(3) OJ No L 192, 30. 7. 1977, p. 5.
(4) OJ No L 115, 27. 4. 1978, p. 6.
(5) OJ No L 43, 15. 2. 1977, p. 1.

ANNEX (1)

Consignment	A	B
1. Application of Council Regulations (a) legal basis (b) affectation	(EEC) No 830/78 (1978 programme) (EEC) No 831/78	
2. Beneficiary 3. Country of destination	India	
4. Total quantity of the consignment	3 000 tonnes (2)	500 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12	
6. Origin of the butteroil	To manufacture from butter or cream bought on the Community market	
7. Special characteristics and/or packaging (3)	Free fatty acids : maximum 0·3 % (oleic acid), amount of peroxide/kg : maximum 0·5 unit (in milliequivalents of oxygen per kg), in bunged metal drums, coated inside with an alimentary varnish or having been subject to a procedure giving equivalent guarantees, of 190 kg or 200 kg (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof	
8. Markings on the packaging	'Butteroil / Gift of the European Economic Community to the Republic of India'	
9. Delivery period	Loading as soon as possible at the latest by 31 August 1978	
10. Stage and place of delivery	Port of unloading Bombay (deposited on the quay or on lighters)	Port of unloading Calcutta (deposited on the quay or on lighters)
11. Representative of the beneficiary responsible for reception (4)	Indian Dairy Corporation, Raj Mahal, 6th floor, 84 Veer Nariman Road, Bombay 400 020 ; cable : Op Flood Bombay	Indian Dairy Corp., Rajgharhia Mansion, 6th floor, 11/1A Rawdon-street, Calcutta 700 017 ; cable : Dairy Corp., Calcutta
12. Procedure to be applied to determine the costs of supply	Tender	
13. Expiry of the time limit for submission of tenders	12 noon on 26 June 1978	

Consignment	C	D	E
1. Application of Council Regulations (a) legal basis (b) affectation	(EEC) No 1768/77 (1977 programme) (EEC) No 1769/77		
2. Beneficiary	Peru	UNHCR	
3. Country of destination		Angola	
4. Total quantity of the consignment	*500 tonnes*	*500 tonnes*	*500 tonnes*
5. Intervention agency responsible for delivery	French	German	Belgian
6. Origin of the butteroil	To manufacture from intervention butter (5)		
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 / Donacion de la Comunidad Economica Europea al Peru'	'Butteroil / Don de la Communauté Economique Européenne / Action UNHCR en Angola / A distribuer gratuitement'	
9. Delivery period	After 25 July and before 10 August 1978	Loading at the latest on 31 July 1978	
10. Stage and place of delivery	Community port of loading	Port of unloading Lobito (deposited on the quay or on lighters)	
11. Representative of the beneficiary responsible for reception (4)	—	Délégué HCR en Angola, Caiza Postal 1342, Luanda (6)	
12. Procedure to be applied to determine the costs of suppiy	Tender		
13. Expiry of the time limit for submission of tenders	12 noon on 26 June 1978		

Consignment	F	G
1. Application of Council Regulations		
(a) legal basis	(EEC) No 1768/77 (1977 programme)	20 tonnes: (EEC) No 1768/77 (1977 programme) 60 tonnes: (EEC) No 830/78 (1978 programme)
(b) affectation	(EEC) No 1769/77	20 tonnes: (EEC) No 1769/77 60 tonnes: (EEC) No 831/78
2. Beneficiary	Botswana	Kingdom of Lesotho
3. Country of destination		
4. Total quantity of the consignment	20 tonnes	80 tonnes
5. Intervention agency responsible for delivery	Dutch	
6. Origin of the butteroil	To manufacture from intervention butter	
7. Special characteristics and/or packaging (3)	In 5 kg boxes, 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 Botswana / Not to be sold or exchanged'	'Butteroil / Gift of the European Economic Community to the People of Lesotho / Not to be sold or exchanged'
9. Delivery period	Loading as soon as possible and at the latest by 30 June 1978 (7)	
10. Stage and place of delivery	Port of unloading Durban (deposited on the quay or on lighters)	
11. Representative of the beneficiary responsible for reception (4)	M. Anderson, Délégué des Communautés Européennes — Maseru / Lesotho, POB MS 518, Telex 351 BB Maseru	
12. Procedure to be applied to determine the costs of supply	By mutual agreement	
13. Expiry of the time limit for submission of tenders	—	—

Notes

(1) This Annex, together with the notice published in *Official Journal of the European Communities* No C 95 of 19 April 1977, page 7 takes the place of an invitation to tender from the intervention agencies concerned in cases where, under point 12, there must be a tendering procedure.

(2) In cases where the total quantity of a lot is a multiple of 500 tonnes, the tender submitted may relate to a partial quantity of 500 tonnes or to a multiple of 500 tonnes ; see Article 14 (2) of Regulation (EEC) No 303/77.

(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) 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 'C' edition of the *Official Journal of the European Communities.*

(6) A copy of the dispatch document should be sent as soon as possible after dispatch to the following address : 'UNHCR, Palais des Nations, 1211 Geneve 10'.

(7) These two lots for which the delivery stage initially provided for as deliveries under the 1977 programme (see Regulation (EEC) No 2853/77 was 'free at destination' and for which no interested tenderer was found, must be shipped together to facilitate their transport to within the recipient countries.