COMMISSION REGULATION (EEC) No 2209/79

of 9 October 1979

on the delivery of various consignments of butteroil as food aid for India

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 1761/78 (2), and in particular Article 6 (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 to certain developing countries and specialized bodies under the 1978 food-aid programme (3), and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No 939/79 of 8 May 1979 laying down general rules for the supply of milk fats to certain developing countries and specialized bodies under the 1979 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, India has 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), as last amended by Regulation (EEC) No 1488/79 (6); 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, 9 October 1979.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 204, 28. 7. 1978, p. 6.
(3) OJ No L 115, 27. 4. 1978, p. 6.
(4) OJ No L 119, 15. 5. 1979, p. 5.
(5) OJ No L 43, 15. 2. 1977, p. 1.
(6) OJ No L 181, 18. 7. 1979, p. 20.

ANNEX (1)

Consignment	A	B	C
1. Application of Council Regulations : (a) legal basis (b) affectation	(EEC) No 830/78 (1978 programme) / (EEC) No 939/79 (1979 programme) (EEC) No 1441/78 / (EEC) No 940/79		
2. Beneficiary 3. Country of destination	India		
4. Total quantity of the consignment	1 500 tonnes (3)	1 000 tonnes (3)	400 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12		
6. Origin of butteroil	To manufacture from butter or cream bought on the Community market (maximum 6 months old)		
7. Special characteristics and/or packaging (2)	Free fatty acids : maximum 0·3 % (oleic acid) Amounts of peroxide/kg : maximum 0·5 unit (in milliequivalents of active oxygen per kg) Thio-barbituric acid test (TBA) : maximum 0·22 %, copper content : maximum 0·05 ppm, iron content : maximum 0·2 ppm in 5 kg boxes, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees		
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / Bombay'	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / Calcutta'	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / Madras'
9. Delivery period	Delivery before 15 December 1979		
10. Stage and place of the delivery	Community port operating a regular service with the recipient country (4)		
11. Representative of the beneficiary responsible for reception	—		
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 22 October 1979		

Notes :

(1) This Annex, together with the notice published in Official Journal 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) Other than those set out in Annex II to Regulation (EEC) No 303/77.

(3) 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.

(4) Delivery shall be deemed to have taken place and the risks shall pass from the successful tenderer to the recipient at the moment when the products have actually been lifted across the rails of the vessel at the port of shipment designated for delivery.