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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2954/79

of 14 December 1979

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 1761/78 (2), and in particular Article 6 (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 (3), 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 (4), as last amended by Regulation (EEC) No 1488/79 (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, 14 December 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 119, 15. 5. 1979, p. 5.
(4) OJ No L 43, 15. 2. 1977, p. 1.
(5) OJ No L 181, 18. 7. 1979, p. 20.

ANNEX (1)

Consignment	A	B	C
1. Application of Council Regulations:			
(a) legal basis	(EEC) No 939/79 (1979 programme)		
(b) affectation	(EEC) No 940/79		
2. Beneficiary	UNHCR	Sierra Leone	Sao Tome
3. Country of destination	Zambia		
4. Total quantity of the consignment	60 tonnes	200 tonnes	200 tonnes
5. Intervention agency responsible for delivery	French		
6. Origin of butteroil (2)	To manufacture from intervention butter		
7. Special characteristics and / or packaging (3)	In 5 kg tins, 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 / For free distribution / UNHCR / Assistance for Zimbabwean refugees / Lusaka'	'Butteroil / Gift of the European Economic Community to the Republic of Sierra Leone / For free distribution'	'Dom da Comunidade económica europeia à república de São Tomé e Principe'
9. Delivery period	Loading as soon as possible and at the latest 15 January 1980		
10. Stage and place of delivery	Delivered to Lusaka	Port of unloading Freetown (deposited on the quay or on lighters)	Port of unloading Sao Tome (deposited on the quay or on lighters)
11. Representative of the beneficiary responsible for reception (4)	UNHCR, Branch Office, PO Box 2542, Lusaka, Zambia (5) (6)	The National Authorizing Officer, Office of the First Vice-President, Tower Hill, PO Box 1402, Freetown	Direcção do Comercio externo, caixa postal 31, São Tomé
12. Procedure to be applied to determine the costs of supply	Mutual agreement		
13. Expiry of the time limit for submission of tenders	—		

Consignment	D	E
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 939/79 (1979 programme)	
(b) affectation	(EEC) No 940/79	
2. Beneficiary	UNHCR	
3. Country of destination	Pakistan	
4. Total quantity of the consignment	65 tonnes	195 tonnes
5. Intervention agency responsible for delivery	Belgian	
6. Origin of butteroil (2)	To manufacture from intervention butter	
7. Special characteristics and / or packaging (3)	In 5 kg tins, 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 / For free distribution / UNHCR / Assistance for Afghan refugees in Pakistan / followed by:	
	Quetta via Karachi'	Peshawar via Karachi'
9. Delivery period	Loading as soon as possible and at the latest 15 January 1980	
10. Stage and place of delivery	Delivered to Quetta via Karachi	Delivered to Peshawar via Karachi
11. Representative of the beneficiary responsible for reception (4)	UNHCR, c/o UNDP, PO Box 1051, Islamabad, Pakistan (5)	
12. Procedure to be applied to determine the costs of supply	Mutual agreement	
13. Expiry of the time limit for submission of tenders	—	

Consignment	G	H
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 939/79 (1979 programme)	
(b) affectation	(EEC) No 940/79	
2. Beneficiary	UNHCR	
3. Country of destination	Vietnam	Somalia
4. Total quantity of the consignment	150 tonnes	150 tonnes
5. Intervention agency responsible for delivery	Belgian	French
6. Origin of butteroil (2)	To manufacture from intervention butter	
7. Special characteristics and / or packaging (3)	In 5 kg tins, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees	
8. Markings on the packaging	'Butteroil / Don de la Communauté économique européenne / À distribuer gratuitement / UNHCR / Assistance aux réfugiés au Viêt-nam / Hô-Chi-Minh-Ville'	'Butteroil / Gift of the European Economic Community to the United Nations High Commissioner for Refugees / Somalia programme / Mogadishu'
9. Delivery period	Loading as soon as possible and at the latest 15 January 1980	
10. Stage and place of delivery	Port of unloading Hô-Chi-Minh-Ville (deposited on the quay or on lighters)	Port of unloading Mogadishu (deposited on the quay or on lighters)
11. Representative of the beneficiary responsible for reception (4)	Comité de réception des aides étrangères, c/o VIETRAMF, Hô-Chi-Minh-Ville (5) (7)	UNHCR Mogadishu, c/o UNDP, PO Box 24, Mogadishu, Somalia (8)
12. Procedure to be applied to determine the costs of supply	Mutual agreement	
13. Expiry of the time limit for submission of tenders	—	

Consignment	I	K	L
1. Application of Council Regulations:			
(a) legal basis	(EEC) No 939/79 (1979 programme)		
(b) affectation	(EEC) No 940/79		
2. Beneficiary	Catholic Relief Service		Tanzania
3. Country of destination	Chile		
4. Total quantity of the consignment	530 tonnes	470 tonnes	400 tonnes
5. Intervention agency responsible for delivery	German		French
6. Origin of butteroil (2)	To manufacture from intervention butter		
7. Special characteristics and / or packaging (3)	In 5 kg tins, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees		
8. Markings on the packaging	See note (9)	'Butteroil / Donación de la Comunidad económica europea para Cathwell, Chile / Destinada a la distribución gratuita / Cathwell / 5114 Valparaiso'	'Butteroil / Gift of the European Economic Community to Tanzania'
9. Delivery period	Delivery in February 1980		Delivery as soon as possible and at the latest 15 January 1980
10. Stage and place of delivery	Community port operating a regular service with the recipient country		
11. Representative of the beneficiary responsible for reception (4)	CEBEMO, Food Aid Division, Transport Group, Postbus 90727, Van Alkemadelaan 1, NL-2509 LS Den Haag (telex 34278 CEMEC NL (10))		
12. Procedure to be applied to determine the costs of supply	Tender		Mutual agreement
13. Expiry of the time limit for submission of tenders	12 noon on 14 January 1980		—

Consignment	M	N	O	P
1. Application of Council Regulations:				
(a) legal basis	(EEC) No 939/79 (1979 programme)			
(b) affectation	(EEC) No 940/79			
2. Beneficiary 3. Country of destination	India			
4. Total quantity of the consignment	500 tonnes	500 tonnes	500 tonnes	331 tonnes
5. Intervention agency responsible for delivery	Belgian		German	
6. Origin of butteroil (2)	To manufacture from butter or cream bought on the Community market (aged no more than six months)			
7. Special characteristics and / or packaging (3)	See notes (11) and (12)			
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / followed by: Bombay'	Calcutta'	Madras'	
9. Delivery period	Delivery in January 1980			
10. Stage and place of delivery	Community port operating a regular service with the recipient country (13)			
11. Representative of the beneficiary responsible for reception (4)				
12. Procedure to be applied to determine the costs of supply	Mutual agreement			
13. Expiry of the time limit for submission of tenders	—			

Consignment	Q	R	S
1. Application of Council Regulations:			
(a) legal basis	(EEC) No 939/79 (1979 programme)		
(b) affectation	(EEC) No 940/79		
2. Beneficiary	India		
3. Country of destination			
4. Total quantity of the consignment	500 tonnes	300 tonnes	200 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12		
6. Origin of butteroil (2)	To manufacture from butter or cream bought on the Community market (aged no more than six months)		
7. Special characteristics and / or packaging (3)	In 5 kg tins, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees (11)		
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / followed by: Bombay'	Calcutta'	Madras'
9. Delivery period	Delivery in Feburary 1980		
10. Stage and place of delivery	Community port operating a regular service with the recipient country (13)		
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	12 noon on 14 January 1980		

Consignment	T	U
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 939/79 (1979 programme)	
(b) affectation	(EEC) No 940/79	
2. Beneficiary	India	
3. Country of destination		
4. Total quantity of the consignment	1 000 tonnes (14)	500 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12	
6. Origin of butteroil (2)	To manufacture from butter or cream bought on the Community market (aged no more than six months)	
7. Special characteristics and / or packaging (3)	In 5 kg tins, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees (11)	
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / followed by: Bombay'	Calcutta'
9. Delivery period	Delivery in March 1980	
10. Stage and place of delivery	Community port operating a regular service with the recipient country (13)	
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	12 noon on 14 January 1980	

Consignment	V	W	X
1. Application of Council Regulations:			
(a) legal basis	(EEC) No 939/79 (1979 programme)		
(b) affectation	(EEC) No 940/79		
2. Beneficiary	India		
3. Country of destination			
4. Total quantity of the consignment	1 000 tonnes (14)	300 tonnes	200 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12		
6. Origin of butteroil (2)	To manufacture from butter or cream bought on the Community market (aged no more than six months)		
7. Special characteristics and / or packaging (3)	See notes (11) and (12)		
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / followed by:		
	Bombay'	Calcutta'	Madras'
9. Delivery period	Delivery in April 1980		
10. Stage and place of delivery	Community port operating a regular service with the recipient country (13)		
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	12 noon on 14 January 1980		

Consignment	Y	Z
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 939/79 (1979 programme)	
(b) affectation	(EEC) No 940/79	
2. Beneficiary	India	
3. Country of destination		
4. Total quantity of the consignment	500 tonnes	400 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12	
6. Origin of butteroil (2)	To manufacture from butter or cream bought on the Community market (aged no more than six months)	
7. Special characteristics and / or packaging (3)	In 5 kg tins, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees (11)	
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / followed by: Bombay'	Calcutta'
9. Delivery period	Delivery in May 1980	
10. Stage and place of delivery	Community port operating a regular service with the recipient country (13)	
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	12 noon on 14 January 1980	

Consignment	AA	AB	AC
1. Application of Council Regulations:			
(a) legal basis	(EEC) No 939/79 (1979 programme)		
(b) affectation	(EEC) No 940/79		
2. Beneficiary	India		
3. Country of destination			
4. Total quantity of the consignment	1 000 tonnes (14)	500 tonnes	200 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12		
6. Origin of butteroil (2)	To manufacture from butter or cream bought on the Community market (aged no more than six months)		
7. Special characteristics and / or packaging (3)	See notes (11) and (12)		
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / followed by:		
	Bombay'	Calcutta'	Madras'
9. Delivery period	Delivery in June 1980		
10. Stage and place of delivery	Community port operating a regular service with the recipient country (13)		
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	12 noon on 14 January 1980		

Consignment	AD	AE	AF
1. Application of Council Regulations:			
(a) legal basis	(EEC) No 939/79 (1979 programme)		
(b) affectation	(EEC) No 940/79		
2. Beneficiary	India		
3. Country of destination			
4. Total quantity of the consignment	1 000 tonnes (14)	1 000 tonnes (14)	416 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12		
6. Origin of butteroil (2)	To manufacture from butter or cream bought on the Community market (aged no more than six months)		
7. Special characteristics and / or packaging (3)	In 5 kg tins, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees (11)	See notes (11) and (12)	
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / followed by: Bombay'		Calcutta'
9. Delivery period	Delivery in July 1980	Delivery in August 1980	
10. Stage and place of delivery	Community port operating a regular service with the recipient country (13)		
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	12 noon on 14 January 1980		

Consignment	AG
1. Application of Council Regulations:	
(a) legal basis	(EEC) No 939/79 (1979 programme)
(b) affectation	(EEC) No 940/79
2. Beneficiary	UNHCR
3. Country of destination	Botswana
4. Total quantity of the consignment	30 tonnes
5. Intervention agency responsible for delivery	Belgian
6. Origin of butteroil (2)	To manufacture from intervention butter
7. Special characteristics and / or packaging (3)	In 5 kg tins, 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 United Nations High Commissioner for Refugees / Botswana programme / Gaborone (Botswana)'
9. Delivery period	Loading as soon as possible and at the latest 15 January 1980
10. Stage and place of delivery	Delivered to Gaborone
11. Representative of the beneficiary responsible for reception (4)	The Representative, UNHCR Branch Office in Botswana, PO Box 288, Gaborone, Botswana (5) (15) (telex 2412 BD UNDEVPRO (Botswana) 'for UNHCR'; tel. 5458 / 5459)
12. Procedure to be applied to determine the costs of supply	Mutual agreement
13. Expiry of the time limit for submission of tenders	—

Consignment	AK
1. Application of Council Regulations:	
(a) legal basis	(EEC) No 939/79 (1979 programme)
(b) affectation	(EEC) No 940/79
2. Beneficiary	Pakistan
3. Country of destination	
4. Total quantity of the consignment	1 000 tonnes ([16])
5. Intervention agency responsible for delivery	German
6. Origin of butteroil ([2])	To manufacture from intervention butter
7. Special characteristics and / or packaging ([3])	In 5 kg tins, 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 Pakistan'
9. Delivery period	Delivery in February 1980
10. Stage and place of delivery	Community port operating a regular service with the recipient country
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	12 noon on 14 January 1980

Consignment	AL
1. Application of Council Regulations:	
(a) legal basis	(EEC) No 939/79 (1979 programme)
(b) affectation	(EEC) No 940/79
2. Beneficiary	Bangladesh
3. Country of destination	
4. Total quantity of the consignment	3 000 tonnes (16)
5. Intervention agency responsible for delivery	United Kingdom
6. Origin of butteroil (2)	To manufacture from intervention butter
7. Special characteristics and / or packaging (3)	In 5 kg tins, 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 Bangladesh'
9. Delivery period	Delivery in February 1980
10. Stage and place of delivery	Community port of loading
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	12 noon on 14 January 1980

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

(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) The successful tenderer should send one original and two copies of the dispatch documents to:
UNHCR, c/o Monsieur Von Arnim,
palais des Nations,
CH-1211 Genève 10.

(6) The successful tenderer should send a copy of the dispatch documents to:
EEC Delegate,
Cha Cha Cha Road,
Stand 19,
Baker House,
PO Box 3871,
Lusaka,
Zambia.

(7) The bill of lading must contain the following information:

'NOTIFY ADDRESS:

(a) Monsieur le Délégué en république socialiste du Viêt-nam du Haut-Commissariat des Nations unies pour les réfugiés,
Khach San,
Thong Nhat,
Room 324,
Hanoï
(tel. 57871).

(b) Monsieur Von Arnim,
UNHCR,
palais des Nations,
CH-1211 Genève 10
(telex 28144 REFPI CH)'.

(8) The bill of lading must contain the following information:

'NOTIFY ADDRESS:

(a) Consignee.
(b) Mr Von Arnim,
UNHCR,
palais des Nations,
CH-1211 Genève 10'.

Moreover, a copy of the dispatch documents should be sent by the successful tenderer as soon as possible to the following addresses:

— Monsieur Von Arnim,
UNHCR,
palais des Nations,
CH-1211 Genève 10 (two copies);

— Delegate of the Commission of the EEC in Somalia,
PO Box 943,
Mogadishu,
Somalia.

(9) Inscription on the packing:
'Butteroil / Donación de la Comunidad económica europea para Cathwell, Chile / Destinada a la distribución gratuita / Cathwell /
followed by:
(for 40 tonnes): 5116 / Antofagasta',
(for 56 tonnes): 5115 / Coquimbo',
(for 434 tonnes): 5117 / Talcahuano'.

(10) The successful tenderer shall send to the beneficiaries' agents, on delivery, a health certificate in respect of each part quantity, made out in the language indicated by the beneficiaries.
The successful tenderer shall send to MM. M.H. Schutz BV, Insurance Brokers, Blaak 16, NL-3011 TA Rotterdam, on delivery, a copy of the commercial invoice in respect of each part quantity.

(11) Free fatty acids: maximum 0·3 % (oleic acid).
Amount of peroxide/kg: maximum 0·5 unit (in milli-equivalents of oxygen per kg).
Thio-barbituric acid test (TBA): maximum 0·22 %.
Copper content: maximum 0·05 ppm.
Iron content: maximum 0·2 ppm.

(12) In new bunged metals drums, coated inside with an alimentary varnish or having been subject to a procedure giving equivalent guarantees, of 190 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.

(13) 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.

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

(15) The successful tenderer should send a copy of the dispatch documents to:
EEC Commission Delegate,
PO Box MS 518,
Maseru,
Lesotho.

(16) Each offer may cover only a part quantity of 500 tonnes as specified in the complementary tender indicating the storage locations of the product, published together with this Regulation in the 'C' series of the *Official Journal of the European Communities.*