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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2217/82

of 28 July 1982

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 1183/82 (2), and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 1401/81 of 19 May 1981 laying down general rules for the supply of milk fats to certain developing countries and specialized bodies under the 1981 food-aid programme (3), and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No 1039/82 of 26 April 1982 laying down general rules for the supply of milk fats to certain developing countries and specialized bodies under the 1982 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, certain third countries and beneficiary organizations have requested the delivery of the quantities of butteroil set out therein;

Whereas, therefore, delivery should be affected 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 3474/80 (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 Article 2 (2) of Regulation (EEC) No 1039/82 specifies that, provided the normal development of prices on the market is not disturbed, the supply of butter and butteroil as food aid shall be ensured in the form of butter or butterfats bought on the Community market if the situation on the market does not allow supply from public stocks; whereas, since the latter condition has been fulfilled and the quantities involved are not so large as to disturb the normal development of prices on the market, purchases should be made on the open market to secure the necessary supplies ;

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.*

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 140, 20. 5. 1982, p. 1.
(3) OJ No L 141, 27. 5. 1982, p. 1.
(4) OJ No L 120, 1. 5. 1982, p. 1.
(5) OJ No L 43, 15. 2. 1977, p. 1.
(6) OJ No L 363, 31. 12. 1980, p. 50.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 28 July 1982.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX (1)

Consignment	A
1. Application of Council Regulations:	
(a) legal basis	(EEC) No 1039/82 (1982 programme)
(b) affectation	(EEC) No 1040/82
2. Beneficiary	Honduras
3. Country of destination	
4. Total quantity of the consignment	600 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12
6. Origin of the butteroil (2)	To manufacture from butter or cream bought on the Community market, limited to the following three countries: Denmark, Ireland and Northern Ireland
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	'Aceite de mantequilla / Donación de la Comunidad económica europea a Honduras'
9. Delivery period	Loading in October 1982
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country (6)
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 6 September 1982

Consignment	B	C
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 1039/82 (1982 programme)	
(b) affectation	(EEC) No 1040/82	
2. Beneficiary	Somalia	Lesotho
3. Country of destination		
4. Total quantity of the consignment	250 tonnes	200 tonnes
5. Intervention agency responsible for delivery	French	Belgian
6. Origin of the butteroil (2)	To manufacture from intervention butter	
7. Special characteristics and/or packaging (3)	In 5 kg tins,	In 20 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 Somalia'	to Lesotho'
9. Delivery period	Loading as soon as possible and at the latest 30 September 1982	Loading in September 1982
10. Stage and place of delivery	Port of unloading Mogadishu (deposited on the quay or on lighters)	Delivered to Maseru
11. Representative of the beneficiary responsible for reception (4)	Ministry of Local Government and Rural Development, Food Aid Department, Mogadishu (7)	Receiving Agent: Government of Lesotho Food Management Unit, Railway Siding 4457, Maseru, Lesotho
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
1. Application of Council Regulations:	
(a) legal basis	(EEC) No 1039/82 (1982 programme)
(b) affectation	(EEC) No 1040/82
2. Beneficiary	Kingdom of Morocco
3. Country of destination	
4. Total quantity of the consignment	200 tonnes
5. Intervention agency responsible for delivery	French
6. Origin of the butteroil (2)	To manufacture from butter or cream bought on the Community market
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 au royaume du Maroc / À distribuer gratuitement'
9. Delivery period	Loading in September 1982
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country (6)
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	E	F
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 1039/82 (1982 programme)	
(b) affectation	(EEC) No 1040/82	
2. Beneficiary	Arab Republic of Egypt	
3. Country of destination		
4. Total quantity of the consignment	2 500 tonnes (5)	300 tonnes
5. Intervention agency responsible for delivery	German	
6. Origin of the butteroil (2)	To manufacture from intervention butter	
7. Special characteristics and/or packaging (3)	In 2·270 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 Egypt'	
9. Delivery period	Loading in October 1982	
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country (6)	
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 6 September 1982	

Consignment	G	H
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 1039/82 (1982 programme)	
(b) affectation	(EEC) No 1040/82	
2. Beneficiary	Nicaragua	Mozambique
3. Country of destination		
4. Total quantity of the consignment	300 tonnes	200 tonnes
5. Intervention agency responsible for delivery	United Kingdom	
6. Origin of the butteroil (2)	To manufacture from intervention butter	
7. Special characteristics and/or packaging (3)	See note (8)	In 20 kg tins, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees
8. Markings on the packaging	'Aceite de mantequilla / Donación de la Comunidad económica europea a Nicaragua'	'Butteroil / Dom da Comunidade económica europeia a favor de Mozambique'
9. Delivery period	Loading as soon as possible and at the latest 15 October 1982	
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country (6)	Port of unloading Maputo (deposited on the quay or on lighters)
11. Representative of the beneficiary responsible for reception (4)	—	Enacomo Maputo Mozambique (telex ENACOMO MO-6-350) M. Henny de Almeida Matos, ONC1, av. Ahmed Sekoutoure 21, caixa postal 1101, Maputo, Mozambique
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 6 September 1982	

Consignment	I
1. Application of Council Regulations:	
(a) legal basis	(EEC) No 1401/81 (1981 programme)
(b) affectation	(EEC) No 1402/81 (general reserve)
2. Beneficiary	Peru
3. Country of destination	
4. Total quantity of the consignment	100 tonnes
5. Intervention agency responsible for delivery	Belgian
6. Origin of the butteroil (2)	To manufacture from butter or cream bought on the Community market
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	'Aceite de Mantequilla / Donación de la Comunidad económica europea a Peru / Para distribución gratuita'
9. Delivery period	Loading as soon as possible and at the latest 31 August 1982
10. Stage and place of delivery	Port of unloading Callao (deposited on the quay or on lighters)
11. Representative of the beneficiary responsible for reception (4)	ONAA (Oficina Naciónal de Apoyo Alimentario), Natalio Sanchez 220, pisos 12,13,14, Jesus Maria, Lima, Peru (tel. 24 64 93)
12. Procedure to be applied to determine the costs of supply	Mutual agreement
13. Expiry of the time limit for submission of tenders	—

Consignment	K	L	M	N	O	P
1. Application of Council Regulations:						
(a) legal basis	(EEC) No 1401/81 (1981 programme)		(EEC) No 1039/82 (1982 programme)			
(b) affectation	(EEC) No 1402/81		(EEC) No 1040/82			
2. Beneficiary	Mauritania					
3. Country of destination						
4. Total quantity of the consignment	250 tonnes	250 tonnes	250 tonnes	250 tonnes	250 tonnes	250 tonnes
5. Intervention agency responsible for delivery	German					
6. Origin of the butteroil (2)	To manufacture from intervention butter					
7. Special characteristics and/or packaging (3)	In 20 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 la republique islamique de Mauritanie'					
9. Delivery period	Loading as soon as possible and at the latest 15 October 1982					
10. Stage and place of delivery	Port of unloading Nouakchott (deposited on the quay or on lighters) (5)					
11. Representative of the beneficiary responsible for reception (4)	Monsieur le Commissaire à l'aide alimentaire, Nouakchott					
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 6 September 1982					

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 stock, an additional notice stating the warehouses 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 the 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 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).

(6) Delivery fob 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.

(7) The successful tenderer must send a copy of the dispatch documents to:

EEC Commission Delegate,
PO Box 943,
Mogadiscio, Somalia
(telex FED MOG SM 628).

(8) In new bunged metal drums, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees, of 190 to 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.

(9) Vessel 60 metres long, 5 000 tonnes total weight and drawing eight metres of water, allowing berthing alongside quay, i.e. rate of unloading 1 000 tonnes per day instaed of lighter 300 tonnes per day.