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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2889/82

of 22 October 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 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 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 Articles 2 (2) of Regulations (EEC) No 1401/81 and (EEC) No 1039/82 specify 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.

(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. 1981, p. 5.
(4) OJ No L 120, 1. 5. 1982, p. 5.
(5) OJ No L 43, 15. 2. 1977, p. 1.
(6) OJ No L 363, 31. 12. 1980, p. 50.

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, 22 October 1982.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX (1)

Consignment	A	B	C
1. Application of Council Regulations:			
(a) legal basis	(EEC) No 1039/82 (1982 programme)		
(b) affectation	(EEC) No 1040/82		
2. Beneficiary	UNRWA		
3. Country of destination	Jordan		
4. Total quantity of the consignment	185 tonnes	80 tonnes	23 tonnes
5. Intervention agency responsible for delivery	British	French	
6. Origin of the butteroil (2)	To be manufactured from butter or cream bought on the Community market		
7. Special characteristics and/or packaging (3)	(5)		
8. Markings on the packaging	'Butteroil / Gift of the European Economic Community to UNRWA / For free distribution to Palestine refugees'		
9. Delivery period	Loading in November 1982		
10. Stage and place of delivery	Port of unloading Aquaba (deposited on the quay or on lighters)		
11. Representative of the beneficiary responsible for reception (4)	Field Supply and Transport Officer, PO Box 484, UNRWA, Jordan		
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	F
1. Application of Council Regulations:			
(a) legal basis		(EEC) No 1039/82 (1982 programme)	
(b) affectation		(EEC) No 1040/82	
2. Beneficiary		UNRWA	
3. Country of destination		Israel	
4. Total quantity of the consignment	252 tonnes	105 tonnes	17 tonnes
5. Intervention agency responsible for delivery		German	
6. Origin of the butteroil (2)		Bought on the Community market	
7. Special characteristics and/or packaging (3)		(5) (6)	
8. Markings on the packaging	'Butteroil / Gift of the European Economic Community to UNRWA / For free distribution to Palestine refugees'		
9. Delivery period		Loading in November 1982	
10. Stage and place of delivery		Port of unloading Ashdod (deposited on the quay or on lighters)	
11. Representative of the beneficiary responsible for reception (4)		Hevra Klalit Lehashgaha on behalf of UNRWA Ashdod (Israel)	
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 1401/81 (1981 programme)	
(b) affectation	(EEC) No 1402/81	
2. Beneficiary	World Food Programme	
3. Country of destination	Mozambique	Egypt
4. Total quantity of the consignment	87 tonnes	450 tonnes
5. Intervention agency responsible for delivery	Dutch	German
6. Origin of the butteroil (2)	To be manufactured from butter or cream bought on the Community market	To be manufactured 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	'Mozambique 2477 / Butteroil / Maputo / Gift of the European Economic Community / Action of the World Food Programme'	'Egypt 2314 / Butteroil / Alexandria / Gift of the European Economic Community / Action of the World Food Programme'
9. Delivery period	Delivery in December 1982	
10. Stage and place of delivery	Community port of loading 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	Mutual agreement	Tender
13. Expiry of the time limit for submission of tenders	—	12 noon on 22 November 1982

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 goods come from intervention stocks, 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 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 new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure 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.

(6) Products intended for Ashdod must be delivered in containers of 20 feet (40 to 50 containers per ship).