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*(Acts whose publication is obligatory)*

# COMMISSION REGULATION (EEC) No 2960/82

## of 28 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 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 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. 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.

*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, 28 October 1982.

*For the Commission*

Poul DALSAGER

*Member of the Commission*

*ANNEX* (1)

| Consignment | A | B |
|---|---|---|
| 1. Application of Council Regulations: | | |
| (a) legal basis | (EEC) No 1039/82 (1982 programme) | |
| (b) affectation | (EEC) No 1040/82 | |
| 2. Beneficiary | Sri Lanka | São Tomé and Principe |
| 3. Country of destination | | |
| 4. Total quantity of the consignment | 100 tonnes | 100 tonnes |
| 5. Intervention agency responsible for delivery | French | Belgian |
| 6. Origin of the butteroil (2) | To be manufactured from intervention butter | To be manufactured 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 / Supplied to the Government of Sri Lanka / For free distribution under the food-aid programme of the European Economic Community' | 'Butteroil / Dom da Comunidade económica europeia a republica democratica de São Tomé e Principe' |
| 9. Delivery period | Loading in December 1982 | Loading as soon as possible and at the latest 30 November 1982 |
| 10. Stage and place of delivery | Community port of loading operating a regular service with the recipient country (5) | Port of unloading São Tomé (deposited on the quay or on lighters) |
| 11. Representative of the beneficiary responsible for reception (4) | — | Ministerio do comercio, Empresa comercio externo (ECOMEX), boîte postale 31, São Tomé (telex 208 ECOMEX) |
| 12. Procedure to be applied to determine the costs of supply | Mutual agreement | |
| 13. Expiry of the time limit for submission of tenders | — | |

| Consignment | C | D |
|---|---|---|
| 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 | Jordan | Morocco |
| 4. Total quantity of the consignment | 27 tonnes | 240 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 | 'Jordan 2422 / Butteroil / Aquaba / Gift of the European Economic Community / Action of the World Food Programme' | 'Maroc 2592 / Butteroil / Casablanca / Don de la Communauté économique européenne / Action du Programme alimentaire mondial' |
| 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 | |
| 13. Expiry of the time limit for submission of tenders | — | |

| Consignment | E |
|---|---|
| 1. Application of Council Regulations: | |
| (a) legal basis | (EEC) No 1039/82 (1982 programme) |
| (b) affectation | (EEC) No 1040/82 |
| 2. Beneficiary | Burundi |
| 3. Country of destination | Burundi |
| 4. Total quantity of the consignment | 50 tonnes |
| 5. Intervention agency responsible for delivery | German |
| 6. Origin of the butteroil (2) | 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 | 'Butteroil / Don de la Communauté économique européenne au Burundi' |
| 9. Delivery period | Loading in December 1982 |
| 10. Stage and place of delivery | Free at destination Bujumbura |
| 11. Representative of the beneficiary responsible for reception (4) | M. Kakunza Venant, directeur général de la Laiterie centrale de Bujumbura, boîte postale 979, Bujumbura, Burundi |
| 12. Procedure to be applied to determine the costs of supply | Mutual agreement |
| 13. Expiry of the time limit for submission of tenders | — |

*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) 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).

(4) Other than those set out in Annex II to Regulation (EEC) No 303/77.

(5) 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