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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 29/83

of 28 December 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.

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. 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.

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

Done at Brussels, 28 December 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	Grenada
3. Country of destination	
4. Total quantity of the consignment	15 tonnes
5. Intervention agency responsible for delivery	British
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)	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 Grenada / For free distribution'
9. Delivery period	Loading in February 1983
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country (5)
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	B
1. Application of Council Regulations:	
(a) legal basis	(EEC) No 1039/82 (1982 programme)
(b) affectation	(EEC) No 1040/82
2. Beneficiary	International Committee of the Red Cross
3. Country of destination	Uruguay
4. Total quantity of the consignment	25 tonnes
5. Intervention agency responsible for delivery	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)	In 2·270 kg tins, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees
8. Markings on the packaging	A red cross 10 × 10 cm and, in letters at least 1 cm high, the following inscription: 'URU-12 / Butteroil / Donación de la Comunidad económica europea / Acción del Comité internacional de la Cruz-Roja / Destinado a la distribución gratuita / Montevideo'
9. Delivery period	Loading as soon as possible and at the latest 31 January 1983
10. Stage and place of delivery	Port of unloading Montevideo (deposited on the quay or on lighters)
11. Representative of the beneficiary responsible for reception (4)	Cruz-Roja uruguaya, avenida 8 de Octubre, 2990 Montevideo, Uruguay
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
1. Application of Council Regulations:	
(a) legal basis	(EEC) No 1039/82 (1982 programme)
(b) affectation	(EEC) No 1040/82
2. Beneficiary	International Committee of the Red Cross
3. Country of destination	Ethiopia
4. Total quantity of the consignment	20 tonnes
5. Intervention agency responsible for delivery	German
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)	In 2·270 kg tins, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees
8. Markings on the packaging	A red cross 10 × 10 cm and, in letters at least 1 cm high, the following inscription: 'ETH-37 / Butteroil / Gift of the European Economic Community / Action of the International Committee of the Red Cross / For free distribution in Ethiopia'
9. Delivery period	Loading as soon as possible and at the latest 31 January 1983
10. Stage and place of delivery	Port of unloading Assab (deposited on the quay or on lighters)
11. Representative of the beneficiary responsible for reception (4)	ICRC Delegation, PO Box 5701, Addis Ababa, Ethiopia (6)
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 1401/81 (1981 programme)
(b) affectation	(EEC) No 1402/81
2. Beneficiary	World Food Programme
3. Country of destination	Uganda
4. Total quantity of the consignment	400 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	'Uganda 2443 / Butteroil / Mombasa in transit to Tororo / Gift of the European Economic Community / Action of the World Food Programme'
9. Delivery period	Loading as soon as possible and at the latest 28 February 1983
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	Tender
13. Expiry of the time limit for submission of tenders	12 noon on 24 January 1983

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 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) 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.

(6) The successful tenderer should send a copy of the dispatch documents to:

EEC Commission Delegate,
PO Box 5570,
Addis Ababa, Ethiopia
(telex DELEGEUR 21135).