COMMISSION DECISION

of 28 May 1974

concerning the supply of skimmed-milk powder to Mali as food aid

(Only the French text is authentic)

(74/307/EEC)

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 (1) of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 662/74 (2), and in particular Articles 7 (5) and 28 thereof;

Whereas Council Regulation (EEC) No 3582/73 (3) of 28 December 1973 laying down general rules for the supply of skimmed-milk powder as food aid to the countries of the Sahel and Ethiopia, provides *inter alia* for 2 900 metric tons of skimmed-milk powder to be made available to Mali;

Whereas Article 3 of that Regulation specifies that the costs of delivery as far as cif stage must be put out to tender or, in exceptional circumstances may be negotiated by private contract;

Whereas, in view of the worsening food situation in Mali and of the fact that the rainy season is approaching, 600 metric tons of skimmed-milk powder should be dispatched as quickly as possible; whereas it will therefore be necessary to act by private contract;

Whereas Council Regulation (EEC) No 2721/72 (4) of 19 December 1972 on the supply of skimmed-milk powder as food aid, as amended by Regulation (EEC) No 2700/73 (5), provides *inter alia* for 6 000 metric tons of skimmed-milk powder to be made available to the International Committee of the Red Cross (ICRC); whereas under Article 3 (2) of that Regulation delivery costs may also be negotiated by private contract;

Whereas the ICRC has requested the supply, as emergency aid, of 20 metric tons of skimmed-milk powder for Mali;

Whereas, having regard to the stocks held by the intervention agencies and to the situation of the market in skimmed-milk powder, it appears that both these quantities of skimmed-milk powder could be supplied by the French intervention agency; whereas, furthermore, in view of the small quantity to be delivered to the ICRC and of the fact that it is also intended for Mali it is appropriate to combine the two supplies in a single operation, the delivery costs of which should be negotiated by private contract;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

1. There shall be delivered to Mali 620 metric tons of skimmed-milk powder, of which

— 600 metric tons for Mali in pursuance of Regulation (EEC) No 3582/73,

— 20 metric tons for the ICRC in pursuance of Regulation (EEC) No 2721/72.

2. The skimmed-milk powder shall meet the requirements as to quality and packing laid down in Annex I to Commission Regulation (EEC) No 1108/68 (6) of 27 July 1968 on detailed rules of application for public storage of skimmed-milk powder, as last amended by Regulation (EEC) No 77/74 (7).

Article 2

The skimmed-milk powder shall be taken from stocks held by the French intervention agency.

The intervention agency shall have the packing marked, in letters at least 2 cm high, as follows:

on the 600 metric tons:

'Lait écrémé en poudre
Don de la Communauté économique européenne au Mali
À distribuer gratuitement;

on the 20 metric tons for the ICRC:

a red cross 15 cm by 15 cm and the words:

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 85, 29. 3. 1974, p. 51.
(3) OJ No L 359, 28. 12. 1973, p. 50.
(4) OJ No L 291, 28. 12. 1972, p. 28.
(5) OJ No L 279, 5. 10. 1973, p. 1.
(6) OJ No L 184, 29. 7. 1968, p. 34.
(7) OJ No L 9, 11. 1. 1974, p. 38.

'Lait écrémé en poudre
Don de la Communauté économique européenne
Action du Comité International de la Croix-Rouge'.

Article 3

Loading for transport via Abidjan shall take place as soon as possible and be completed by 10 June 1974 at the latest.

Article 4

1. The intervention agency shall take all measures necessary to have the skimmed-milk powder concerned transported rapidly to the distribution points.

2. It shall for this purpose enter into one or more private contracts for the costs of such transport on the best terms possible, account being taken of prevailing transport terms and of the urgency of delivery.

The French intervention agency shall forward to the Commission without delay a copy of such contract or contracts.

3. The distribution points provided for in paragraph 1 shall be designated by the authorities of the recipient countries and shall be communicated by the Commission to the intervention agency concerned.

Article 5

No refund or compensatory amount (whether monetary of accession) shall be payable in respect of the skimmed-milk powder delivered in pursuance of this Decision.

Article 6

This Decision is addressed to the French Republic.

Done at Brussels, 28 May 1974.

For the Commission

The President

François-Xavier ORTOLI