COMMISSION DECISION

of 18 March 1975

concerning the supply of skimmed-milk powder to the International Committee of the Red Cross as emergency food aid for Rwanda

(Only the Dutch text is authentic)

(75/209/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 465/75 [2], and in particular Article 7 (5) and Article 28 thereof ;

Whereas Council Regulation (EEC) No 2721/72 [3] of 19 December 1973 on the supply of skimmed-milk powder as food aid, as amended by Regulation (EEC) No 2700/73 [4], provides, *inter alia*, that 6 000 metric tons of skimmed-milk powder should be made available to the International Committee of the Red Cross ;

Whereas Article 3 (1) (d) of that Regulation provides for the payment of a sum of money to cover delivery costs, arrangements for such payment being approved by the Community under the terms of the supply contract ; whereas such sums are to be determined, as paragraph 2 of that Article provides, by inviting tenders or, having regard to the urgency of the situation, by mutual agreement, on the least onerous terms possible ;

Whereas, in view of the deterioration of the situation in Rwanda and of the need for immediate aid, a certain quantity of skimmed-milk powder should be delivered immediately by air, and a further quantity should be shipped as soon as possible ; whereas it is apparent that mutual agreement must be sought in respect of the deliveries in question ;

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 the quantity in question could be supplied by the Dutch intervention agency ;

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. In accordance with Regulation (EEC) No 2721/72, 100 metric tons of skimmed-milk powder bought in pursuant to Article 7 of Regulation (EEC) No 804/68 shall be delivered to the ICRC for Rwanda.

2. The skimmed-milk powder shall, as regards quality and packaging, satisfy the requirements laid down in Annex I to Commission Regulation (EEC) No 1108/68 [5] of 27 July 1968 concerning the methods of public storage of skimmed-milk powder, as last amended by Regulation (EEC) No 1636/74 [6].

The packing of the skimmed-milk powder shall bear a red cross 15 cm × 15 cm and be marked in letters at least 1 cm high :

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

Article 2

1. The skimmed-milk powder shall be collected from the Dutch intervention agency.

2. Delivery shall be made to Rwanda :

(a) free airport of Maastricht, on 20 March 1975, for 37 metric tons,

(b) by sea, cif Mombasa, for 63 metric tons. The shipping shall take place as soon as possible and not later than 3 April 1975.

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[1] OJ No L 148, 28. 6. 1968, p. 13.
[2] OJ No L 52, 28. 2. 1975, p. 8.
[3] OJ No L 291, 28. 12. 1972, p. 28.
[4] OJ No L 279, 5. 10. 1973, p. 1.
[5] OJ No L 184, 29. 7. 1968, p. 34.
[6] OJ No L 173, 28. 6. 1974, p. 60.

Article 3

1. For the transport specified in Article 2 (2) (b), the Dutch intervention agency shall notify the ICRC, as soon as possible after the goods have left the port of shipment, of details of the ship or the loading date, the quantity and quality of goods as recorded on shipment, the date of unloading and the daily rate of unloading at the port.

2. The Dutch intervention agency shall, at least 10 clear days in advance, inform the ICRC of the expected date of arrival of the ship at the port of unloading and shall have included in the terms of the charter party a provision stipulating that the ship's captain must, at least 72 hours in advance, inform the ICRC of the probable date of arrival of the ship in port.

Article 4

1. The ICRC shall bear all costs subsequent to delivery, including costs of taking delivery.

2. Concerning carriage by sea :

(a) delivery cif shall be completed when the goods are actually unloaded on the quayside or on to a lighter if this method is used ;

(b) any demurrage costs, at the port of unloading in respect of delays attributable to the ICRC, shall be for the account of the ICRC. The amount of these costs and detailed rules concerning them shall be as fixed in the contract between the Community agent and the carrier, subject to prior agreement thereon between such agent and the ICRC reception agent.

3. Concerning carriage by air delivery shall be completed when the goods are actually placed in the warehouses of the airport of Maastricht.

Any costs in respect of delays in taking delivery attributable to the ICRC shall be for the account of the ICRC.

Article 5

The amounts to cover delivery costs to the stages specified in Article 2 (2) shall be determined by the Dutch intervention agency by mutual agreement on the least onerous terms possible.

Article 6

The intervention agency shall immediately inform the Commission of the costs incurred.

Article 7

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

Article 8

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 18 March 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 913/75 of 8 April 1975 amending the amounts applicable as compensatory amounts for cereals and rice

(Official Journal of the European Communities No L 88 of 9 April 1975)

Page 12, Annex C, CCT heading No 11.06 B II, column IRL :

for : '0·352'
read : '2·352'.