COMMISSION DECISION

of 21 April 1975

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

(Only the Dutch text is authentic)

(75/302/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 740/75 (2), and in particular Articles 7 (5) and 28 thereof;

Whereas Council Regulation (EEC) No 1827/74 (3) of 11 July 1974 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations, provides, *inter alia*, that 3 000 metric tons of skimmed-milk powder should be made available to the International Committee of the Red Cross; whereas the ICRC has requested the supply, as emergency aid, of 100 metric tons of skimmed-milk powder for Vietnam;

Whereas in pursuance of Article 5 of Council Regulation (EEC) No 1826/74 (4) of 11 July 1974 laying down the general rules for the supply of skimmed-milk powder as food aid to certain countries and international organizations, a private contract should be issued for the delivery in case of an emergency action;

Whereas, in view of the deterioration of the situation in Vietnam and of the need for immediate aid, the quantity of skimmed-milk powder requested should be shipped as soon as possible; whereas it is apparent that mutual agreement must be sought in respect of the delivery in question;

Whereas having regard to the stocks held by the intervention agencies and to the existing transport possibilities, 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 1827/74, 100 metric tons of skimmed-milk powder shall be delivered to the ICRC.

2. The delivery is to be effected:

— for 50 metric tons cif Saigon,

— for 50 metric tons cif Haiphong.

If the circumstances so require the intervention agency concerned may designate other ports of unloading so as to permit delivery to Vietnam.

3. The skimmed-milk powder shall meet the requirements as to the quality and packing laid down in Annex I to Commission Regulation (EEC) No 1108/68 (5) of 27 July 1968 on detailed rules of application for public storage of skimmed-milk powder, as last amended by Regulation (EEC) No 1636/74 (6).

Article 2

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

2. The intervention agency shall have the packing of the skimmed-milk powder marked with a red cross 15 by 15 cm and, in letters at least 1 cm high, the words:

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

Article 3

1. Shipment shall be effected as soon as possible and on 30 April 1975 at the latest.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 74, 22. 3. 1975, p. 1.
(3) OJ No L 190, 13. 7. 1974, p. 22.
(4) OJ No L 190, 13. 7. 1974, p. 20.
(5) OJ No L 184, 29. 7. 1968, p. 34.
(6) OJ No L 173, 28. 6. 1974, p. 60.

2. Delivery cif shall be completed when the goods are actually unloaded on the quayside or onto a lighter.

Article 4

1. The Dutch intervention agency shall determine the transport costs relating to the delivery in question by mutual agreement on the least onerous terms possible.

2. The intervention agency shall forward to the Commission without delay a copy of such mutual agreement.

Article 5

No refund or compensatory amount (whether monetary or 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 Kingdom of the Netherlands.

Done at Brussels, 21 April 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission