COMMISSION DECISION

of 2 October 1975

relating to the urgent supply of skimmed-milk powder and butter to the League of Red Cross societies for victims of the earthquake in Turkey

(Only the German text is authentic)

(75/606/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 6 (7), 7 (5) and 28 thereof ;

Whereas Council Regulation (EEC) No 1348/75 (3) of 26 May 1975 on the supply of skimmed-milk powder, under the 1975 food-aid-programme, to certain developing countries and to certain international organizations, provides to leave a reserve stock of skimmed-milk powder for unforeseeable cases ;

Whereas Council Regulation (EEC) No 1542/75 (4) of 16 June 1975, on the supply of milk fats, under the 1975 food-aid-programme to certain developing countries and to certain international organizations, provides to leave a reserve stock of butter fats for unforeseeable cases ;

Whereas the League of Red Cross societies has requested an urgent delivery of 100 metric tons of skimmed-milk powder and 50 metric tons of butter on behalf of the victims of the earthquake in Turkey ; whereas appropriate action should be taken for this request and to set aside the quantities in question from the abovementioned reserve ; whereas the methods of transport shall be chosen following the urgency and the existing possibilities ;

Whereas under Article 5 of Council Regulations (EEC) No 1347/75 (5) of 26 May 1975 laying down the general rules for the supply of skimmed-milk powder, under the 1975 food-aid-programme, to certain developing countries and to certain international organizations, and No 1541/75 (6) of 16 June 1975 laying down the general rules for the supply of milk fats, under the 1975 food-aid-programme, to certain developing countries and to certain international organizations, it would be advisable, for this emergency action, to have recourse to a procedure of mutual agreement, in the case where it has proved that the goods shall be taken over by the recipient organization to a port or to an airport ;

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 pursuance of Regulation (EEC) No 1348/75, 100 metric tons of skimmed-milk powder bought in pursuant to Article 7 of Regulation (EEC) No 804/68 shall be delivered to the League of Red Cross societies for victims of the earthquake in Turkey.

2. The skimmed-milk powder shall be collected from the German intervention agency.

3. The skimmed-milk powder shall, as regards quality and packing, satisfy the requirements laid down in Annex I to Commission Regulation (EEC) No 1108/68 (7) of 27 July 1968 concerning the methods of public storage of skimmed-milk powder, as last amended by Regulation (EEC) No 1457/75 (8).

The packing of the skimmed-milk powder shall be marked in letters at least 1 cm high :

'Skimmed-milk powder — Gift of the European Economic Community to the League of Red Cross societies — for free distribution in Turkey'.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 74, 22. 3. 1975, p. 1.
(3) OJ No L 138, 29. 5. 1975, p. 3.
(4) OJ No L 157, 19. 6. 1975, p. 6.
(5) OJ No L 138, 29. 5. 1975, p. 1.
(6) OJ No L 157, 19. 6. 1975, p. 4.
(7) OJ No L 184, 29. 7. 1968, p. 34.
(8) OJ No L 145, 6. 6. 1975, p. 17.

Article 2

1. In pursuance of Regulation (EEC) No 1542/75, 50 metric tons of butter bought in pursuant to Article 6 of Regulation (EEC) No 804/68 shall be delivered to the League of Red Cross societies for victims of the earthquake in Turkey.

2. The butter shall be collected from the German intervention agency.

3. The butter shall satisfy the following conditions concerning the quality :

(a) Minimum fat content of the milk : 82 %

b) Maximum water content : 16 %

(c) Produced from pasteurized acid cream.

4. The butter shall satisfy the following conditions concerning the packaging :

(a) In blocks of 25 kg

(b) The packaging must be of resistant materials to protect the butter throughout transport, storage and disposal

(c) The packing of the butter shall be marked in letters at least 1 cm high : 'Butter — Gift of the European Economic Community to the League of Red Cross societies — for free distribution in Turkey'.

5. When the goods are received by the recipient organization, the temperature of the butter must not exceed —10° C in the centre of the blocks.

Article 3

The skimmed-milk powder and the butter shall be at the disposal of the recipient organization on the territory of the Federal Republic of Germany at one of the following stages communicated at a later moment by the Commission to the German intervention agency, that is to say :

— fob to a port of the Community accessible for ocean-going ships having regular lines with Turkey,

— or free at German airport,

— or from the warehouse of the intervention agency in the case where the recipient organization ensures the transport by lorries to Turkey.

Article 4

1. In case of delivery to an airport or port of embarkation, for determining the costs of transport in question, the German intervention agency shall conclude one or several private contracts to the least onerous terms.

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

In the case mentioned in the first subparagraph, delivery shall be effected when they are deposited, following the case, to the airport or to the port of shipment at a point designated by the recipient organization.

2. In case of transport by lorry from the warhouse, as soon as the loading of the goods shall be effected, the German intervention agency shall communicate to the Commission the date of loading, the quantity and the quality established at the time of loading.

Article 5

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

Article 6

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 2 October 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission