COMMISSION DECISION

of 20 January 1976

on the supply of skimmed-milk powder as emergency food aid to the Democratic Republic of the Sudan

(Only the French text is authentic)

(76/155/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 of 27 June 1968 on the common organization of the market in milk and milk products [1], as last amended by Regulation (EEC) No 740/75 [2], and in particular Articles 7 (5) and 28 thereof,

Whereas Council Regulation (EEC) No 1348/75 of 26 May 1975 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1975 programme [3], provides *inter alia* for the supply of 300 metric tons of skimmed-milk powder to the Democratic Republic of the Sudan ; whereas this country has requested the delivery of the abovementioned quantity ;

Whereas Article 5 of Council Regulation (EEC) No 1347/75 of 26 May 1975 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1975 programme [4], stipulates that the costs of delivery shall be determined by a tendering procedure or, in the case of an emergency action, by a procedure of mutual agreement ;

Whereas in view of the need to provide immediate aid, it is necessary to have recourse to contracts by mutual agreement ;

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 the provisions of Regulations (EEC) No 1347/75 and (EEC) No 1348/75, a lot of 300 metric tons of skimmed-milk powder shall be delivered to the Democratic Republic of the Sudan.

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

3. 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 of 27 July 1968 on detailed rules of application for public storage of skimmed-milk powder [5], as last amended by Regulation (EEC) No 1457/75 [6].

The packing of the skimmed-milk powder shall be marked in letters at least one centimetre high with the words :

'Skimmed-milk powder — Gift of the European Economic Community to the Democratic Republic of the Sudan.'

Article 2

1. Delivery shall be effected from the port of Antwerp on a date to be fixed by the Luxembourg intervention agency which must be later than 15 February and earlier than 15 March 1976.

2. The goods shall be regarded as delivered when they are deposited in the port of shipment, at a point designated by the recipient country or its agent.

Article 3

1. The Luxembourg intervention agency shall determine the costs of transporting the skimmed-milk powder by concluding a private contract on the least onerous terms.

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

[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 138, 29. 5. 1975, p. 1.
[5] OJ No L 184, 29. 7. 1968, p. 34.
[6] OJ No L 145, 6. 6. 1975, p. 17.

Article 4

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

Article 5

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 20 January 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission