COMMISSION DECISION

of 14 May 1976

relating to the urgent supply of skimmed-milk powder as food aid to the League of the Red Cross Societies for the benefit of the victims of the earthquake in Italy

(Only the German text is authentic)

(76/504/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 559/76 (2), and in particular Article 7 (5) and Article 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 for a reserve stock of 3 800 metric tons of skimmed-milk powder; whereas the League of the Red Cross Societies has requested the supply of 150 metric tons to be taken from this reserve for free distribution to the victims of the earthquake in Italy in the Friuli area; whereas this request should be complied with; whereas the organization of destination can take in charge 30 metric tons ex storage depot; whereas 120 metric tons shall be supplied 'delivered destination';

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, 150 metric tons of skimmed-milk powder shall be delivered to the League of the Red Cross Societies for the benefit of the victims of the earthquake in Italy. A 30 metric tons quantity shall be made available 'ex storage depot'; remaining quantity of 120 metric tons is to be supplied 'delivered destination' (Udine-Friuli).

2. The skimmed-milk powder shall be made available by the German intervention agency.

Article 2

1. 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).

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

'Latte scremato in polvere / Dono della Comunità economica europea / Azione della Lega delle società di Croce Rossa / Da distribuire gratuitamente'.

3. Delivery shall be carried out as quickly as possible.

Article 3

As regards the 30 metric tons of skimmed-milk powder to be supplied 'ex storage depot', the delivery shall be considered as completed when the goods are effectively loaded on the trucks in the designated storage depots.

As regards the 120 metric tons to be supplied 'delivered destination', the delivery shall be considered as completed when the goods have effectively arrived and been unloaded at the places of destination.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 67, 15. 3. 1976, p. 9.
(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

1. The German intervention agency shall determine the costs of forwarding the 120 metric tons of skimmed-milk powder by concluding a private contract on the least onerous terms possible.

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

Article 5

No compensatory monetary amount shall be applied in respect of the skimmed-milk powder delivered pursuant to this Decision.

Article 6

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 14. May 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission