COMMISSION DECISION

of 16 July 1976

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

(Only the French text is authentic)

(76/673/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 Articles 7 (5) and 28 thereof,

Whereas Council Regulation (EEC) No 1827/74 of 11 July 1974 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations (3), provides *inter alia* for 3 000 metric tons of skimmed-milk powder to be made available to the International Committee of the Red Cross (ICRC); whereas the ICRC has requested the supply of 30 metric tons of skimmed-milk powder for Lebanon;

Whereas Article 5 of Council Regulation (EEC) No 1826/74 of 11 July 1974 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations (4), stipulates that in the case of emergency actions the forwarding costs may be determined by a procedure of mutual agreement;

Whereas, in view of the need for quick aid it is apparent that mutual agreement must be sought in respect of this delivery for the forwarding of skimmed-milk powder by air to the airport of destination;

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 Regulations (EEC) No 1826/74 and (EEC) No 1827/74, 30 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 Lebanon.

2. The skimmed-milk powder shall be collected from the Luxembourg intervention agency. This delivery shall be accompanied with a supplementary 2 % of empty bags.

3. 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 of 27 July 1968 concerning the methods of 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 bear a red cross 10 × 10 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 — À distribuer gratuitement.'

Article 2

1. Delivery shall be effected at Larnaca airport (Cyprus).

2. The recipient organization shall bear all costs incurred after delivery including the costs of unloading.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 67, 15. 3. 1976, p. 9.
(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 145, 6. 6. 1975, p. 17.

3. Delivery shall be completed as soon as possible.

4. A certificate proving the taking of the goods shall be delivered on delivery by the receiving agent designated by the recipient organization.

Article 3

1. Private contract or contracts shall be negotiated on the best terms possible by the Luxembourg intervention agency for the costs of transport relating to the delivery in question.

2. The intervention agency shall send immediately to the Commission a copy of the private contract or contracts.

Article 4

No refund or compensatory amount (whether monetary or accession) may be granted in respect of skimmed-milk powder supplied pursuant to this Decision.

Article 5

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 16 July 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission