COMMISSION DECISION

of 26 July 1976

concerning the supply to the International Committee of the Red Cross, as emergency food aid for the benefit of Lebanon, of vitaminized skimmed-milk powder to be purchased on the Community market

(Only the Dutch text is authentic)

(76/695/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,

Having regard to 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 [3], and in particular Article 6 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 [4], , 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 70 metric tons of vitaminized skimmed-milk powder for Lebanon;

Whereas Article 2 (2) of Regulation (EEC) No 1826/74 provides that, if there is not enough skimmed-milk powder available in public stocks with the characteristics necessary for the particular destination where this requires, in particular, the addition of vitamins, supplies shall be obtained by purchase of skimmed-milk powder on the Community market;

Whereas Article 5 of Regulation (EEC) No 1826/74 stipulates that, in the case of emergency actions the forwarding costs may be determined by a procedure of 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 Regulations (EEC) No 1826/74 and (EEC) No 1827/74, the Dutch intervention agency shall deliver cif Jounieh (Lebanon) a lot of 70 metric tons of vitaminized skimmed-milk powder bought in on the Community market for Lebanon.

In case the port of Jounieh be closed, delivery should take place at the port of Limassol (Cyprus).

2. The skimmed-milk powder shall, as regards quality and packing, satisfy the requirements laid down in the Annex to this Decision.

3. The supplier, designated by the mutual agreement contract specified in Article 3, shall deliver a further 5 % of empty bags identical to those containing the goods. He shall undertake to have these bags mentioned on the bill of lading.

Article 2

1. Delivery cif shall be completed when the goods are actually deposited on the quayside at the port of unloading or on board a lighter as the case may be.

2. The recipient country shall bear all costs incurred after delivery including the costs of taking delivery of the goods.

Any demurrage costs at the port of unloading attributable to the recipient agency shall be borne by that agency. The rates and other details concerning such costs shall be laid down in the contract between the Community agent (designated by the mutual agreement contract specified in Article 3) and the carrier and must have been previously agreed upon by him and the recipient's delivery agent.

[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. 20.
[4] OJ No L 190, 13. 7. 1974, p. 22.

3. A delivery certificate shall be issued on delivery by the receiving agent nominated by the recipient organization.

4. Embarkation shall take place as soon as possible.

Article 3

1. The amount to cover the delivery costs cif referred to in Article 1 (1), including the insurance costs, shall be determined by the intervention agency concerned by mutual agreement on the least onerous terms possible.

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

Article 4

The Dutch Government :

1. shall ensure that the agent designated by the mutual agreement contract :

   (a) notify the country of destination, as soon as possible after the goods have been loaded on board ship, of details of the ship, the loading date, the quantity and quality of the goods as recorded on shipment, the port of unloading, and the daily unloading rate at the port ;

   (b) inform the country destination, at least 10 clear days before arrival at the port of unloading of the expected date of arrival ;

   (c) have included in the terms of the charter-party a provision stipulating that the ship's captain shall, at least 72 hours in advance, notify the country of destination of the ship's probable date of arrival in port ;

2. send to the Commission as soon as possible the information specified in paragraph 1 (a) and (b).

Article 5

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

Article 6

This Decision is addressed to the Kingdom of Netherlands.

Done at Brussels, 26 July 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

I. Skimmed-milk powder requirements

(a) fat content :	1·5 % maximum
(b) water content :	4·0 % maximum
(c) total acidity in lactic acid :	0·15 % maximum (18° Dornic)
(d) test for neutralization agents :	negative
(e) authorized additives :	none
(f) phosphatase test :	negative
(g) solubility :	0·5 ml maximum (99 % minimum)
(h) degree of purity :	disc B (15·0 mg minimum)
(i) germ content :	50 000 per g maximum
(k) colon bacillus titer :	negative in 0·1 g
(l) taste and smell :	clean
(m) appearance :	white or slightly yellowish colour, free from impurities or coloured particles
(n) vitamin enrichment : vitamin A :	5 000 i.u. per 100 g

II. Packing

(a) New bags of a net weight content of 25 kg (5 % empty bags).

(b) Composition :

— four Kraft paper bags of a strength representing at least 70 g/m² ;

— one interposed tar-lined paper bag, of a strength representing at least 140 g/m² or one Kraft paper bag with polyethylene layer, of a strength representing at least 70 g + 15 g/m² ;

— one polyethylene inner bag at least 0·08 mm thick double bound.

(c) The packaging of the skimmed-milk powder shall bear a red cross 10 × 10 cm high, and in letters at least 1 cm high, shall bear the following inscription :

'Lait écrémé en poudre avec vitamines A 5 000 u.i. / 100 gr. — Don de la Communauté économique européenne — Action du Comité international de la Croix-Rouge — À distribuer gratuitement.'