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REGULATION (EEC) No 1852/69 OF THE COUNCIL

of 16 September 1969

laying down general rules for the supply of skimmed-milk powder to the World Food Programme and the International Committee of the Red Cross

THE COUNCIL 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 1398/69[2], and in particular Article 7 (4) thereof;

Having regard to the proposal from the Commission;

Whereas the second paragraph of Article 7 (2) of Regulation (EEC) No 804/68 provides that special measures may be taken for skimmed-milk powder held in public storage which cannot be marketed on normal terms during a given milk year;

Whereas there are large stocks of skimmed-milk powder on the Community market as a result of interventions on the market in first-quality skimmed-milk powder;

Whereas the additional quantities of skimmed-milk powder which these stocks represent cannot be marketed on normal terms during the current milk year; whereas, moreover, prolonged storage should be avoided because of the costs entailed;

Whereas on 21–22 April 1969 the Council decided to include milk products in a food aid programme;

Whereas the World Food Programme and the International Committee of the Red Cross have made known their requirements of milk proteins; whereas these proteins can be supplied in the form of skimmed-milk powder meeting certain quality criteria; whereas the supply of this product free of charge offers an outlet for surplus skimmed-milk powder and does away with storage costs for several years;

Whereas the amount of aid to be granted to the firms transporting the skimmed-milk powder should generally be determined by bringing into competition interested firms established in the Community; whereas this can be achieved by the tendering procedure;

Whereas, for the operation to function properly, provision should be made for the competent authority of the Member State holding the skimmed-milk powder to be responsible for payment of the aid,

HAS ADOPTED THIS REGULATION:

Article 1

1. Skimmed-milk powder which has been the subject of intervention measures under Article 7 of Regulation (EEC) No 804/68 shall be made available to the World Food Programme and the International Committee of the Red Cross.

2. The quantity of skimmed-milk powder to be disposed of under the conditions laid down in this Regulation shall be:

- 120 000 metric tons to the World Food Programme,
- 3 000 metric tons to the International Committee of the Red Cross.

3. These quantities must be delivered within two years.

Article 2

1. For the purposes specified in Article 1 there shall be granted:

(a) an allowance covering the costs of delivery fob;

(b) in the case of the World Food Programme, a fixed contribution towards forwarding and distribution costs; in the case of the International Committee of the Red Cross, reimbursement of forwarding costs on the basis of expenditure actually incurred by the Committee.

[1] OJ No L 148, 28.6.1968, p. 13.
[2] OJ No L 179, 21.7.1969, p. 13.

2. The allowance shall be granted to the processor. The fixed contribution and the reimbursement shall be granted to the agency responsible for distributing the skimmed-milk powder in the recipient countries.

Article 3

1. The amount of the allowance shall in general be determined by the tendering procedure.

2. The competent bodies of the Member States shall invite tenders according to provisions to be determined.

Article 4

1. The allowance shall be paid only if the successful tenderer has fulfilled the obligations laid down in the invitation to tender.

2. Provision may be made for payments on account.

Article 5

The quantities of skimmed-milk powder to be mobilized shall be decided in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, taking into account stocks held by the intervention agencies and the situation on the market in skimmed milk.

Article 6

1. Each Member State shall designate a body responsible for implementing the measures laid down in this Regulation.

2. The allowance and the contribution shall be paid by the competent body of the Member State whose intervention agency holds the skimmed-milk powder.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 16 September 1969.

For the Council
The President
P. LARDINOIS