REGULATION (EEC) No 1028/73 OF THE COMMISSION

of 16 April 1973

on the supply of skimmed milk powder to the Arab Republic of Egypt as Community aid

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 [1] of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by the Act [2] annexed to the Treaty [3] concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Articles 7 (5) and 28 thereof;

Whereas Council Regulation (EEC) No 2721/72 [4] of 19 December 1972 on the supply of skimmed milk powder as food aid provides *inter alia* that 2 000 metric tons of skimmed milk powder shall be supplied to the Arab Republic of Egypt;

Whereas Article 3 (1) (b) of the said Regulation provides for payment of a sum to cover delivery costs up to the cif stage; whereas the amount of these costs is to be determined by means of a tendering procedure; whereas the intervention agency responsible for supplying the milk powder should be called upon to organize such tendering procedure;

Whereas, having regard to the stocks held by the intervention agencies and to the situation of the market in skimmed milk powder, the French intervention agency is in a position to supply the quantity in question to the Arab Republic of Egypt;

Whereas it is necessary to designate the storage depots from which the quantity in question is to be taken;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Milk and Milk Products;

HAS ADOPTED THIS REGULATION:

Article 1

1. In accordance with Regulation (EEC) No 2721/72, 2 000 metric tons of skimmed milk powder bought in pursuant to Article 7 of Regulation (EEC) No 804/68, shall be delivered to Alexandria (Arab Republic of Egypt). Such milk powder shall be taken from the stocks held by the French intervention agency.

2. The skimmed milk powder shall, as regards quality and packing, satisfy the requirements laid down in Annex I of Commission Regulation (EEC) No 1108/68 [5], of 27 July 1968 concerning the methods of public storage of skimmed milk powder, as last amended by Regulation (EEC) No 454/73 [6].

The packaging of the skimmed milk powder shall be marked in letters at least 1 cm high:

'Lait écrémé en poudre/Don de la Communauté économique européenne à la république arabe d'Egypte.'

Article 2

1. The skimmed milk powder shall be delivered after 30 May 1973 and before 16 June 1973.

2. The skimmed milk powder shall be taken from the storage depots listed in the Annex hereto.

Article 3

1. A tendering procedure shall be held to determine delivery costs incurred between removal of the goods from the intervention agency's storage depot and the time when the presence of the goods in the hold of the ship at port of unloading is verified, such costs not to include unloading costs (for example shifting, hoisting, reception costs) or lighterage costs.

2. The French intervention agency shall carry out the procedure provided for in paragraph 1.

3. The rates and rules for any demurrage costs at the port of unloading to be borne by the country of destination and any dispatch money to be paid to that

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 73, 27. 3. 1972, p. 14.
(3) OJ No L 73, 27. 3. 1972, p. 5.
(4) OJ No L 291, 28. 12. 1972, p. 28.
(5) OJ No L 184, 29. 7. 1968, p. 34.
(6) OJ No L 53, 26. 2. 1973, p. 7.

country shall be specified in the contract between the successful tender and the shipper, and shall be agreed upon in advance between the successful tenderer and the reception agent in the country of destination.

Article 4

1. The intervention agency shall take effective supervision measures to ensure that the skimmed milk powder supplied is actually delivered to the port of destination.

2. It shall notify to the Commission as soon as possible the name, business name and address of the firm to which the contract is awarded and the amount of the delivery costs referred to in Article 3 (1).

Article 5

The French intervention agency shall :

1. motify to the recipient country, as soon as possible after the goods have left the port of shipment, the loading date, the quantity and the quality of the goods as recorded on shipment, and the port of destination ;

2. at least ten clear days in advance, inform the recipient country of the expected date of arrival of the goods at the port of destination ;

3. at least two days in advance, inform the recipient country of the probable date of arrival of the goods at the port of destination.

Article 6

No refund or compensatory amount may be granted in respect of skimmed milk powder supplied pursuant to this Regulation.

Article 7

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities.*

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

Done at Brussels, 16 April 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

— Magasins généraux à Châteauroux (Indre)
— Centrale laitière de Penthièvre à Crehin (Côtes-du-Nord)
— Entrepôts généraux d'Arnor à Guingamp (Côtes-du-Nord)
— Magasins généraux à Roubais (Nord)
— Société anonyme Maury Potmaugis — Sedan (Ardenne)
— Prospérité fermière à Saint Pol sur Terrenoire (Pas-de-Calais)
— S.A.R.S.O. Villeneuve sur Lot (Lot-et-Garonne)
— Les Docks sur Sursol — Montreuil-Belay — (Maine-et-Loire)