REGULATION (EEC) No 1222/75 OF THE COMMISSION

of 6 May 1975

on the issue of an invitation to tender for the costs of delivering skimmed-milk powder as food aid to the International Committee of the Red Cross for India

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 Regulation (EEC) No 740/75 [2] and in particular Articles 7 (5) and 28 thereof;

Whereas Council Regulation (EEC) No 2721/72 [3] of 19 December 1972 on the supply of skimmed-milk powder as food aid, as amended by Regulation (EEC) No 2700/73 [4], provides *inter alia* for 6 000 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, as emergency aid, of 570 metric tons of skimmed-milk powder for India; whereas, having regard to the stocks held by the intervention agencies and to the situation of the market in skimmed-milk powder, it appears that this quantity could be supplied by the Luxembourg intervention agency;

Whereas the corresponding costs of delivery must be put out to tender in accordance with Commission Regulation (EEC) No 1885/73 [5] of 12 July 1973 concerning invitations to tender for the costs of delivery, as food aid, of skimmed-milk powder held by the intervention agencies; whereas the terms of delivery and of taking over the skimmed-milk powder should however be specified;

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. Tenders shall be invited in accordance with Regulation (EEC) No 1885/73 for the costs of delivering one lot of 570 metric tons of skimmed-milk powder to the ICRC for India.

2. Delivery is to be effected:

— cif Bombay for 200 metric tons,
— cif Calcutta for 200 metric tons,
— cif Madras for 170 metric tons.

Article 2

1. The skimmed-milk powder shall be collected from the Luxembourg intervention agency.

The intervention agency shall procure that the packing is marked with a red cross 15 × 15 cm and the following words at least 1 cm high: 'Skimmed-milk powder — Gift of the European Economic Community — Action of the International Committee of the Red Cross'.

2. Loading of the skimmed-milk powder shall take place as soon as possible and at the latest by 20 June 1975.

Article 3

1. The tenders shall be for the delivery costs incurred between the removal of the goods from the storage depots of the relevant intervention agency and the places of destination specified in Article 1 (2) including the unloading costs.

2. Delivery cif shall be completed when the goods are deposited on the quayside or onto a lighter at the port of unloading.

Article 4

1. The ICRC shall bear all costs subsequent to delivery, including the reception costs of the goods.

2. Any demurrage costs, at the port of unloading in respect of delays attributable to the ICRC, shall be for the account of the ICRC. The amount of these costs and detailed rules concerning them shall be as fixed in the contract between the Community agent and the carrier, subject to prior agreement thereon between such agent and the ICRC reception agent.

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[1] OJ No L 148, 28. 6. 1968, p. 13.
[2] OJ No L 74, 22. 3. 1975, p. 1.
[3] OJ No L 291, 28. 12. 1972, p. 28.
[4] OJ No L 279, 5. 10. 1973, p. 1.
[5] OJ No L 192, 12. 7. 1973, p. 31.

Article 5

The time limit for the submission of tenders shall be 27 May 1975 at 12 noon.

Article 6

The Luxembourg Government shall :

1. ensure that the successful tenderer notifies to the representative of the ICRC :
   — after the goods have left the port of shipment, the details of the ship and the loading date, the quantity and quality of the goods as recorded on shipment, the places of unloading and the daily rate of unloading at the ports,
   — 10 days in advance, the expected date of arrival of the goods at the port of unloading,
   — at least 72 hours in advance, the date of arrival of the goods at the port of unloading ;
2. transmit as soon as possible to the Commission the information provided for in the first indent of paragraph 1.

Article 7

Upon delivery of the goods, the ICRC reception agent shall deliver to the successful tenderer acting as agent for the Community a certificate of acceptance.

Article 8

This Regulation shall enter into force on the third 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, 6 May 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission