REGULATION (EEC) No 1476/75 OF THE COMMISSION

of 9 June 1975

amending Regulation (EEC) No 602/75 as regards the conditions of sale of skimmed-milk powder for supply to developing countries

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 Article 7 (5) thereof;

Whereas Council Regulation (EEC) No 155/75 (3) of 21 January 1975 provides that skimmed-milk powder in public storage may be sold for supply to developing countries; whereas, pursuant to Article 6 (c) of Commission Regulation (EEC) No 602/75 (4) of 7 March 1975 laying down detailed rules for the sale of skimmed-milk powder in public storage for supply to developing countries, the purchase of skimmed-milk powder is subject to the production of a certificate as specified in Article 7 of the Regulation issued by the recipient third country; whereas under Article 8 (2) of Regulation (EEC) No 602/75 the recipient agency, prior to taking delivery of the amount purchased, must furnish security to ensure that the goods are not diverted from their intended destination;

Whereas experience acquired in the initial operation of Regulation (EEC) No 602/75 has shown that in certain cases compliance with the abovementioned conditions may give rise to difficulties and lead to delay which could jeopardize the efficiency of the action concerned; whereas it should therefore be possible to waive those provisions in exceptional circumstances, particularly where the small quantities involved do not warrant that the recipient country be required, prior to purchase, to give the formal undertaking referred to in Article 7 of that Regulation;

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

Article 5 (2) of Regulation (EEC) No 602/75 is amended as follows:

— the following is deleted:
'and lay down any special arrangements required for the taking over of the goods';

— the following paragraph is added:
'under the same procedure,
— Article 6 (c), first indent, and Article 7, or
— Article 8 (2), second indent, and Article 9,
may be waived, where, particularly by reason of the small quantities involved, the application of such provisions would create appreciable difficulties for the recipient agency.'

Article 2

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, 9 June 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 74, 22. 3. 1975, p. 1.
(3) OJ No L 19, 14. 1. 1975, p. 3.
(4) OJ No L 63, 8. 3. 1975, p. 18.