REGULATION (EEC) No 3033/75 OF THE COMMISSION

of 19 November 1975

concerning an invitation to tender for the costs of delivery of skimmed-milk powder as food aid to the International Committee of the Red Cross

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 1827/74 (3) of 11 July 1974 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations, 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 1 000 metric tons of skimmed-milk powder;

Whereas Article 5 of Council Regulation (EEC) No 1826/74 (4) of 11 July 1974 laying down the general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations, provides that for the purposes of this supply an invitation to tender is normally to be issued;

Whereas the procedure to be adopted for this tendering should in the main be the procedure fixed in Commission Regulation (EEC) No 597/75 (5) of 6 March 1975 concerning invitations to tender for the costs of delivery of skimmed-milk powder in public storage as food aid to the countries of the Sahel and Ethiopia; whereas it is still necessary to add a number of details particularly as regards the time limit for the submission of tenders and the terms of supply of the skimmed-milk powder;

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 are invited in accordance with the provisions of Regulation (EEC) No 1826/74 for the costs of delivery cif to the ICRC of a lot of 1 000 metric tons of skimmed-milk powder for India.

2. Subject to the special provisions specified hereinafter, the provisions of Regulation (EEC) No 597/75 shall apply by analogy to the tendering procedure and to the terms of transport of the skimmed-milk powder.

Article 2

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

2. It shall be packed according to the Annex to Regulation (EEC) No 597/75. The intervention agency concerned shall procure that the packing is marked with:

— a red cross 10 × 10 cm,

— the following wording in letters at least 1 cm high:

'Skimmed-milk powder — Gift of the European Economic Community — Action of the International Committee of the Red Cross — For free distribution in India'.

Article 3

1. The delivery of the lot in question shall be as follows:

(a) 250 metric tons cif Bombay,

250 metric tons cif Calcutta.

The shipment of the above partial quantities shall take place as soon as possible and not later than 10 January 1976.

(b) 250 metric tons cif Bombay,

250 metric tons cif Calcutta.

The shipment of these partial quantities shall take place after 25 January but before 15 February 1976.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 74, 22. 3. 1975, p. 1.
(3) OJ No L 190, 13. 7. 1974, p. 22.
(4) OJ No L 190, 13. 7. 1974, p. 20.
(5) OJ No L 63, 8. 3. 1975, p. 7.

2. Delivery cif shall be completed when the goods are actually deposited on the quayside or on board a lighter as the case may be.

3. 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 it. The rates and other details concerning such costs shall be laid down in the contract between the tenderer and the carrier and must have been previously agreed upon by the tenderer acting as agent for the Community and the recipient's delivery agent.

Article 4

The time limit for the submission of tenders is 9 December 1975 at 12 noon.

Article 5

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, 19 November 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission