REGULATION (EEC) No 713/75 OF THE COUNCIL

of 18 March 1975

laying down general rules for the supply of skimmed-milk powder as food aid to Somalia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

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 662/74 (2), and in particular Article 7 (4) thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas Somalia has indicated its requirements as regards high-protein milk products; whereas these high-protein products may be supplied in the form of skimmed-milk powder produced within the Community and meeting certain quality standards;

Whereas the supply of skimmed-milk powder must take into account the amounts of skimmed-milk powder available in the Community and the need to avoid disturbing market conditions;

Whereas the amounts at present available enable 2 000 metric tons of skimmed-milk powder to be supplied; whereas, moreover, there is some mobility in distribution as between public stocks and market availabilities;

Whereas, taking into account the situation on the Community market in skimmed-milk powder, and the need to deliver certain supplies as a matter of urgency and to ensure that supplies are delivered regularly, arrangements should be made for the skimmed-milk powder to be supplied as food aid, depending on the amount available either by drawing on stocks held by the intervention agencies or by buying-in the product on the Community market;

Whereas for the 1975 programme provision should be made for a reserve stock of 2 000 metric tons of skimmed-milk powder for Somalia to be supplied to that country according to its need;

Whereas, to enable the aid to be used effectively, arrangements should be made to finance delivery to the places of destination;

Whereas the supplies must be delivered at the lowest possible price; whereas in order to achieve that aim, a tendering procedure should be provided for; whereas, however, it may be desirable, in the interests of flexibility and speed, to have recourse to a different procedure;

Whereas detailed rules for the application of the measures to be taken when skimmed-milk powder is purchased on the market should be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, as in the case of the rules to be applied where public stocks are used,

HAS ADOPTED THIS REGULATION:

Article 1

Under the 1975 programme, a reserve stock of 2 000 metric tons of skimmed-milk powder as food aid shall be set up for Somalia, to be supplied to that country according to its need.

Article 2

1. The skimmed-milk powder referred to in Article 1 shall be bought in accordance with Article 7 (1) of Regulation (EEC) No 804/68.

2. If the amounts of skimmed-milk powder in public stocks are insufficient to supply the quantities provided for in Article 1 or if they do not have the characteristics necessary for their particular destination where this requires, in particular, other forms of packing or the addition of vitamins and other additives, supplies shall be ensured by the buying-in of skimmed-milk powder on the Community market. Buying-in shall be done in such a way as not to disturb the normal development of prices on the market.

Article 3

For the purposes referred to in Article 1, the cost of the skimmed-milk powder, its labelling and delivery to the places of destination and the supply of any vitamins to be added to the milk shall be financed by the Community.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 85, 29. 3. 1974, p. 51.

Article 4

The costs of delivery to the places of destination may be met, in whole or in part, by a lump-sum contribution. The Commission shall pay such contribution directly to the country of destination. The Commission may in such cases make partial advance payments.

Article 5

The expenditure referred to in Article 3, excluding the lump-sum contribution referred to in Article 4, shall in principle be determined by a tendering procedure. However, in respect of transport, a different procedure may be adopted.

Article 6

The decision to apply Article 2 (2) shall be taken and the arrangements for implementing Article 2 (2) and Article 5 shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

Article 7

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, 18 March 1975.

For the Council

The President

R. RYAN