REGULATION (EEC) No 714/75 OF THE COUNCIL
of 18 March 1975
laying down general rules for the supply of milk fats as food aid to Somalia

THE COUNCIL 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 662/74 [2], and in particular Article 6 (6) thereof;

Having regard to the proposal from the Commission;

Whereas Somalia has indicated its requirements as regards milk fats;

Whereas it will not be possible to dispose of the quantities of butter held by intervention agencies on normal terms during the 1974/75 milk year; whereas it is possible to supply food aid in the form of butter or butteroil, equal to 850 metric tons of butteroil;

Whereas under the 1975 programme a reserve stock of 850 metric tons of butteroil should be set up 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 transport to the places of destination;

Whereas the amount to be paid to the undertakings manufacturing the butteroil and certain transport costs for the butter and butteroil should be determined by competition among interested undertakings established in the Community; whereas the inviting of tenders is a suitable means of achieving this aim, but for the sake of speed and flexibility it may be desirable to have recourse to some other procedure,

HAS ADOPTED THIS REGULATION:

Article 1

Under the 1975 programme, a reserve stock of 850 metric tons of butteroil as food aid shall be set up for Somalia, to be supplied to that country according to its need.

Article 2

For the purposes referred to in Article 1, the cost of the butter, of processing it into butteroil, of packaging and shipment from the factory to the places of destination, shall be met by the Community.

Article 3

The costs of delivery to the place 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 4

The expenditure referred to in Article 2, excluding the lump-sum contribution referred to in Article 3, shall in principle be determined by a tendering procedure. However, in respect of transport, a different procedure may be adopted.

Article 5

The sums to be paid to the undertaking chosen shall be due only if:

(a) the undertaking satisfies the conditions laid down in the invitation to tender or by contract; and

(b) the quality and packing of the delivered product are found on inspection to comply with the relevant Community provisions.

Provision may be made for partial advance payment of such sums.

Article 6

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

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