COMMISSION REGULATION (EEC) No 2704/76

of 8 November 1976

concerning an invitation to tender for the costs of delivery of skimmed-milk powder as food aid to the World Food Programme for Cuba

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 of 27 June 1968 on the common organization of the market in milk and milk products (1), as last amended by Regulation (EEC) No 559/76 (2), and in particular Article 7 (5) thereof,

Whereas Council Regulation (EEC) No 1299/76 of 1 June 1976 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme (3), provides *inter alia* for 20 000 metric tons of skimmed-milk powder to be made available to the World Food Programme (WFP); whereas the WFP has requested the delivery of 5 000 metric tons of skimmed-milk powder for Cuba; whereas this delivery shall be considered as completed when the skimmed-milk powder is deposited at the point of exportation at the place designated by the WFP or its appointed agent;

Whereas according to Article 5 of Council Regulation (EEC) No 1298/76 of 1 June 1976 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations under the 1976 programme (4), as amended by Regulation (EEC) No 2017/76 (5), the delivery costs for this quantity shall be the subject of a tendering procedure;

Whereas, as regards the tendering procedure, the provisions of Commission Regulation (EEC) No 1221/75 of 6 May 1975 concerning the conditions for invitations to tender for the costs of delivery, as food aid, of skimmed-milk powder to the World Food Programme (6), as amended by Regulation (EEC) No 2061/75 (7), should be applied; whereas it is however necessary to specify certain points, in particular the time limit for the submission of tenders and the conditions governing the delivery of 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. In accordance with the provisions of Regulations (EEC) No 1298/76 and (EEC) No 1299/76, tenders shall be invited for the costs of delivery to the World Food Programme of 5 000 metric tons of skimmed-milk powder divided into five lots of 1 000 metric tons each for Cuba.

2. As regards the tendering procedure as well as the terms for delivery of the skimmed-milk powder, the provisions of Regulation (EEC) No 1221/75 shall apply.

Article 2

1. The skimmed-milk powder shall be collected from the Irish intervention agency and shall be accompanied by various certificates to be furnished by the intervention agency according the data of the Commission.

2. The intervention agency in question shall supply 2 % extra empty bags identical to those containing the goods.

3. The packing of the skimmed-milk powder shall bear, in letters at least 1 cm high, the following inscription:

'Leche desnatado en polvo / Donación de la Comunidad europea / Acción del PMA / Cuba 760'

4. This marking shall be followed by the origin, the net and gross weight in kilogrammes as well as the port of unloading which shall be as follows:

— for 2 500 metric tons: 'la Habana'

— for 2 500 metric tons: 'Santiago de Cuba'.

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 67, 15. 3. 1976, p. 9.
(3) OJ No L 146, 4. 6. 1976, p. 5.
(4) OJ No L 146, 4. 6. 1976, p. 3.
(5) OJ No L 224, 16. 8. 1976, p. 1.
(6) OJ No L 121, 14. 5. 1975, p. 17.
(7) OJ No L 209, 7. 8. 1975, p. 19.

Article 3

1. The delivery shall be effected from a port to be designated in the tender, chosen from among ports in the Community accessible for ocean-going ships having a regular service with the recipient country.

2. Delivery at the port of embarkation shall take place on a date to be fixed by the intervention agency concerned and which shall be after 1 and before 15 January 1977.

Article 4

1. The time limit for the submission of tenders expires on 23 November 1976 at 12 noon.

2. By way of derogation from Article 3 (2) of Regulation (EEC) No 1221/75, the tenderer shall specify in his tender for how many lots his tender is valid. Only one port of embarkation may be indicated in the tender.

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, 8 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission