COMMISSION REGULATION (EEC) No 1691/78
of 18 July 1978
on the delivery of skimmed-milk powder to India as food aid

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 1421/78 (2), and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 1442/78 of 26 June 1978 laying down general rules for the supply of skimmed-milk powder to India under the 1978 food-aid programme (3), and in particular Articles 4 and 5 thereof,

Whereas Commission Regulation (EEC) No 726/78 of 7 April 1978 on the delivery of various consignments of skimmed-milk powder as food aid (4) provides for the delivery to the Republic of Honduras of 1 000 tonnes of vitaminized skimmed-milk powder bought on the Community market; whereas because of health regulations in force on its territory the Republic of Honduras has not been able to take over the said quantity of skimmed-milk powder from the Federal Republic of Germany; whereas this quantity, already manufactured, may be consigned to the Republic of India, which has urgent need of it and has indicated its acceptance of the procedure proposed by the Commission by which she will receive it; whereas the country of destination of the skimmed-milk powder in question should consequently be changed;

Whereas the German intervention agency should be permitted to agree with the successful tenderer terms for delivery to the Indian authorities of the skimmed-milk powder for Honduras under part B in the Annex to Regulation (EEC) No 726/78; whereas in particular, in view of the shipment possibilities for India, the date of 20 June 1978 initially laid down for shipment to Honduras should be changed; whereas the additional expenditure thereby incurred by the contractor should also be taken into consideration;

Whereas under the terms of Article 3 of Council Regulation (EEC) No 1442/78 deliveries of products to India are made at the port of unloading; whereas those for Honduras are made at the Community port of loading; whereas the additional costs resulting from this difference should be met by the Community;

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

The 1 000 tonnes of skimmed-milk powder intended for delivery to the Republic of Honduras specified under part B in the Annex to Regulation (EEC) No 726/78 shall be delivered to India under the 1978 food-aid programme.

Article 2

The German intervention agency is authorized to agree with the successful tenderer for the skimmed-milk powder in question terms for its delivery to Rotterdam by 6 July 1978 at the latest for shipment to India.

Article 3

The expenditure incurred by the Indian authorities in shipping the skimmed-milk powder from Rotterdam to the port of unloading, including loading, unloading and insurance costs, shall be reimbursed to them by the Commission on production of the relevant documents.

Article 4

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities.*

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 171, 28. 6. 1978, p. 12.
(3) OJ No L 173, 29. 6. 1978, p. 9.
(4) OJ No L 98, 11. 4. 1978, p. 13.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 July 1978.

For the Commission

Finn GUNDELACH

Vice-President