# COMMISSION REGULATION (EEC) No 395/78

## of 27 February 1978

## on the delivery of various consignments of skimmed-milk powder 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 2560/77 [2], and in particular Article 7 (5) thereof,

Having regard to 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 [3], as amended by Regulation (EEC) No 2017/76 [4], and in particular Article 6 thereof,

Whereas, under the food-aid programmes adopted by the Council Regulation specified in the Annex, Caritas has requested the delivery of the quantities of skimmed-milk powder set out therein ;

Whereas, therefore, delivery should be effected in accordance with the rules laid down in Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid [5] ; whereas in particular the periods and terms for delivery and the procedure to be followed by the intervention agencies to establish the costs arising therefrom should be laid down ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Managment Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION :

*Article 1*

In accordance with the provisions of Regulation (EEC) No 303/77 the intervention agencies as specified in the Annex shall deliver skimmed-milk powder as food aid on the special terms set out therein.

*Article 2*

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, 27 February 1978.

*For the Commission*

Finn GUNDELACH

*Vice-President*

---

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 303, 28. 11. 1977, p. 1.
(3) OJ No L 146, 4. 6. 1976, p. 3.
(4) OJ No L 224, 16. 8. 1976, p. 1.
(5) OJ No L 43, 15. 2. 1977, p. 1.

*ANNEX*

| Consignment | A | B |
|---|---|---|
| 1. Application of Council Regulations : (a) legal basis | (EEC) No 1298/76 (1976 programme) | |
| (b) affectation | (EEC) No 2018/76 | (EEC) No 1299/76 |
| 2. Beneficiary | Caritas | |
| 3. Country of destination | Tunisia | Haiti |
| 4. Total quantity of the consignment | 80 tonnes | 287 tonnes |
| 5. Intervention agency responsible for delivery | Dutch | German |
| 6. Origin of the skimmed-milk powder | Bought on the Community market | |
| 7. Special characteristics and/or packaging (1) | Vitamin A content : 5 000 i.u. per 100 g minimum<br>Vitamin D content : 500 i.u. per 100 g minimum<br>Date of manufacture clearly indicated on the bags | |
| 8. Markings on the packaging | 'Lait écrémé en poudre enrichi en vitamines A et D / Don de la Communauté économique européenne / Pour distribution gratuite en Tunisie / Cathwell / 1126 / Tunis' | 'Lait écrémé en poudre enrichi en vitamines A et D / Don de la Communauté économique européenne / Pour distribution gratuite à Haïti / Port-au-Prince / ...' followed by :<br>for 212 tonnes : 'Action de Cathwell'<br>for 75 tonnes : 'Action de Caritas' |
| 9. Delivery period | After 20 March and before 5 April 1978 | Loading at the latest 5 April 1978 |
| 10. Stage and place of delivery | Port of loading Rotterdam | Port of unloading Port-au-Prince (deposited on the quay or on lighters) |
| 11. Representative of the beneficiary responsible for reception (2) | — | Caritas nationale d'Haïti<br>PO Box 1230, Port-au-Prince (Haïti) (3) |
| 12. Procedure to be applied to determine the costs of supply | Mutual agreement | |
| 13. Expiry of the time limit for submission of tenders | — | — |

*Notes :*

(1) Other than those set out in the Annex to Regulation (EEC) No 1108/68 ; see Article 6 (2) of Regulation (EEC) No 303/77.

(2) Only in the case of delivery 'to the port of unloading' and 'free at destination' ; see Article 5 and the last indent of Article 13 (1) of Regulation (EEC) No 303/77.

(3) The bill of lading must contain the following : 'Gift shipment'.
Moreover, a copy of the dispatch documents should be sent by the tenderer as soon as possible after dispatch to the following addresses :

*For the 212 tonnes : 'Action de Cathwell' :*

1. Catholic Relief Services,
M. Jean Picard, Acting Programme Director,
PO Box 947,
Port-au-Prince (Haiti) ;

2. Catholic Relief Services,
11, rue Cornavin,
CH-1201 Geneva (Switzerland).

*For the 75 tonnes : 'Action de Caritas' :*

Deutscher Caritas Verband e.V.,
Abteilung Auslands- und Katastrophenhilfe,
Postfach 420,
D-7800 Freiburg i.Br.