

## COMMISSION DECISION

of 3 December 1976

relating to the urgent supply to the Sudan of vitaminized skimmed-milk powder to be bought on the Community market, for use as food aid

(Only the German text is authentic)

(76/951/EEC)

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 559/76 <sup>(2)</sup>, and in particular Articles 7 (5) and 28 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 <sup>(3)</sup>, as amended by Regulation (EEC) No 2017/76 <sup>(4)</sup>, and in particular Article 6 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 <sup>(5)</sup> provides *inter alia* for 170 metric tons of skimmed-milk powder to be made available to the Sudan; whereas this country has requested the abovementioned quantity of vitaminized skimmed-milk powder;

Whereas Regulation (EEC) No 1298/76 provides in Article 2 (2) that, if the amounts of skimmed-milk powder in public stocks do not have the characteristics necessary for their particular destination where this requires, in particular, the addition of vitamins, supply shall be ensured by the buying-in of skimmed-milk powder on the Community market;

Whereas Article 5 of Regulation (EEC) No 1298/76 provides that, for the purpose of determining the forwarding costs, in case of emergency, a private contract may be concluded;

Whereas, in view of the need to provide immediate aid, it is apparent that mutual agreement must be sought in respect of this supply;

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

HAS ADOPTED THIS DECISION:

*Article 1*

1. In accordance with the provisions of Regulations (EEC) No 1298/76 and (EEC) No 1299/76 the German intervention agency shall arrange delivery of one lot of 170 metric tons of vitaminized skimmed-milk powder bought on the Community market for the Sudan.

2. The skimmed-milk powder shall meet:

- as to quality, the requirements set out in the Annex to this Decision,
- as to packaging, the requirements set out in Annex I to Commission Regulation (EEC) No 1108/68 of 27 July 1968 on detailed rules for public storage of skimmed-milk powder <sup>(6)</sup>, as last amended by Regulation (EEC) No 1457/75 <sup>(7)</sup>.

3. In addition the supplier, designated by the private contract referred to in Article 3, shall supply 5 % empty bags identical to those containing the goods.

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

'Skimmed-milk powder enriched with vitamins A and D/Gift of the European Economic Community to the Sudan.'

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 67, 15. 3. 1976, p. 9.

<sup>(3)</sup> OJ No L 146, 4. 6. 1976, p. 3.

<sup>(4)</sup> OJ No L 224, 16. 8. 1976, p. 1.

<sup>(5)</sup> OJ No L 146, 4. 6. 1976, p. 5.

<sup>(6)</sup> OJ No L 184, 29. 7. 1968, p. 34.

<sup>(7)</sup> OJ No L 145, 6. 6. 1975, p. 17.

*Article 2*

Delivery shall be effected from the port of Hamburg, on a date fixed by the German intervention agency which must be later than 16 and earlier than 31 January 1977.

The goods shall be considered as delivered when they are actually deposited at the place of export at a point designated by the recipient country or its agent.

*Article 3*

1. The German intervention agency shall determine the forwarding costs of the vitaminized skimmed-milk powder by concluding a private contract on the least onerous terms possible.

2. The intervention agency shall forward to the Commission without delay a copy of such contract.

*Article 4*

No refund or compensatory amount (whether monetary or accession) shall be granted in respect of the skimmed-milk powder delivered pursuant to this Decision.

*Article 5*

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 3 December 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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 ANNEX

## Skimmed-milk powder requirements

(a) fat content:	1.5 % maximum
(b) water content:	4.0 % maximum
(c) total acidity in lactic acid:	0.15 % maximum (18° Dornic)
(d) test for neutralization agents:	negative
(e) authorized additives:	none
(f) phosphatase test:	negative
(g) solubility:	0.5 % ml maximum (99 % minimum)
(h) degree of purity:	disc B (15.0 mg minimum)
(i) germ content:	50 000 per g maximum
(k) colon bacillus titer:	negative in 0.1 g
(l) taste and smell:	clean
(m) appearance:	white or slightly yellowish colour, free from impurities or coloured particles
(n) vitamin enrichment:	
(aa) vitamin A:	5 000 i.u. per 100 g
(bb) vitamin D:	500 i.u. per 100 g.

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