

COMMISSION DECISION

of 18 December 1975

on the supply of skimmed-milk powder to the International Committee of the Red Cross as emergency food aid in favour of victims of the disaster in Angola

(Only the French text is authentic)

(76/16/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⁽¹⁾, as last amended by Regulation (EEC) No 740/75⁽²⁾, and in particular Articles 7 (5) and 28 thereof,

Whereas Council Regulation (EEC) No 1827/74 of 11 July 1974 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations⁽³⁾, provides *inter alia* that 3 000 metric tons of skimmed-milk powder shall be made available to the International Committee of the Red Cross (ICRC); whereas the ICRC has requested the supply of 25 metric tons of skimmed-milk powder for victims of the disaster in Angola; whereas this delivery which was *inter alia* the subject of the Commission Decision of 3 November 1975 on the supply of skimmed-milk powder to the International Committee of the Red Cross as emergency food aid in favour of victims of the disaster in Angola⁽⁴⁾, could not be supplied on account of the development of the situation in Angola; whereas this situation makes it now possible to deliver this supply;

Whereas Article 5 of Council Regulation (EEC) No 1826/74 of 11 July 1974 laying down general rules for the supply of skimmed-milk powder as food aid to certain developing countries and international organizations⁽⁵⁾, stipulates that in case of emergency actions the forwarding costs may be determined by a procedure of mutual agreement;

Whereas, in view of the worsening of the situation in Angola and of the need to provide immediate aid, it is necessary to deliver the requested quantity by air; whereas mutual agreement must be sought for the forwarding costs of this quantity from the storage depot to the airport of embarkation as well as for the subsequent transport costs;

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 1826/74 and (EEC) No 1827/74, 25 metric tons of skimmed-milk powder bought in pursuant to Article 7 of Regulation (EEC) No 804/68 shall be delivered to the ICRC for the victims of the disaster in Angola.

2. The skimmed-milk powder shall be taken from the Luxembourg intervention agency. The latter shall supply 2 % extra empty bags.

3. The skimmed-milk powder shall satisfy, as regards quality and packing, the requirements laid down in Annex I to Commission Regulation (EEC) No 1108/68 of 27 July 1968 concerning the methods of public storage of skimmed-milk powder⁽⁶⁾, as last amended by Regulation (EEC) No 1457/75⁽⁷⁾.

The packing of the skimmed-milk powder shall bear a red cross 10 cm × 10 cm and shall be marked with the following words in letters at least 1 cm high: 'Lait écrémé en poudre — Don de la Communauté économique européenne — action du Comité international de la Croix-Rouge — à distribuer gratuitement.'

Article 2

1. The delivery shall be effected at airport of Luanda (Angola).

2. The recipient organization shall bear all costs incurred after delivery, including the costs of unloading.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 74, 22. 3. 1975, p. 1.

⁽³⁾ OJ No L 190, 13. 7. 1974, p. 22.

⁽⁴⁾ OJ No L 298, 18. 11. 1975, p. 7.

⁽⁵⁾ OJ No L 190, 13. 7. 1974, p. 20.

⁽⁶⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽⁷⁾ OJ No L 145, 6. 6. 1975, p. 17.

3. Delivery shall take place as soon as possible.

4. A certificate proving the taking of the goods shall be delivered on delivery by the receiving agent designated by the recipient country.

Article 3

1. Private contract or contracts shall be negotiated on the best terms possible by the Luxembourg intervention agency for the costs of transport relating to the delivery in question.

2. The intervention agency shall send immediately to the Commission a copy of the private contract or contracts.

Article 4

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

Article 5

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 18 December 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission