

## COMMISSION DECISION

of 1 March 1976

relating to the urgent supply of skimmed-milk powder to the Kingdom of Morocco as food aid

(Only the French text is authentic)

(76/293/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 740/75<sup>(2)</sup>, 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<sup>(3)</sup>, makes, *inter alia*, provision for the supply to the Kingdom of Morocco of 100 metric tons of skimmed-milk powder held by the intervention agencies; whereas that country has made a request for the delivery of the abovementioned quantity;

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<sup>(4)</sup>, stipulates that the cost of delivery should normally be determined by a tendering procedure, or in urgent cases by a procedure of mutual agreement;

Whereas, due to the emergency of the situation on the one hand and of the small quantity involved on the other hand, a private contract should be negotiated;

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 Regulation (EEC) No 1827/74, 100 metric tons of skimmed-milk powder shall be delivered to the Kingdom of Morocco.

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

<sup>(2)</sup> OJ No L 74, 22. 3. 1975, p. 1.

<sup>(3)</sup> OJ No L 190, 13. 7. 1974, p. 22.

<sup>(4)</sup> OJ No L 190, 13. 7. 1974, p. 20.

2. The skimmed-milk powder shall be collected from the French intervention agency.

3. The skimmed-milk powder shall meet the requirements as to quality and packing laid down in Annex I to Commission Regulation (EEC) No 1108/68 of 27 July 1968 on detailed rules of application for public storage of skimmed-milk powder<sup>(5)</sup>, as last amended by Regulation (EEC) No 1457/75<sup>(6)</sup>.

The French intervention agency shall have the packing marked in letters at least one centimetre high, as follows:

'Lait écrémé en poudre/Don de la Communauté Economique Européenne/À distribuer gratuitement'.

*Article 2*

Delivery shall be effected from the port of Le Havre, on a date fixed by the French intervention agency which must be later than 20 March and earlier than 3 April 1976.

The goods shall be regarded as delivered when they are deposited in the port of shipment at a point designated by the recipient country or its agent.

*Article 3*

1. The French intervention agency shall determine the costs of transporting the skimmed-milk powder by concluding a private contract on the least onerous terms.

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

<sup>(5)</sup> OJ No L 184, 29. 7. 1968, p. 34.

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

*Article 4*

Done at Brussels, 1 March 1976.

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 French Republic.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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