

Official Journal

of the European Communities

Volume 17 No L 87
30 March 1974

English Edition

Legislation

Contents

I Acts whose publication is obligatory

.....

II Acts whose publication is not obligatory

Council

74/161/EEC:

- * Council Decision of 14 January 1974 on the conclusion of the Agreement between the European Economic Community and the Islamic Republic of Pakistan on the supply of common wheat and skimmed-milk powder as emergency food aid.... 1
- Agreement between the European Economic Community and the Islamic Republic of Pakistan on the supply of common wheat and skimmed-milk powder as emergency food aid 2
- Information on the signing of the Agreement between the European Economic Community and the Islamic Republic of Pakistan on the supply of food aid 5

74/162/EEC:

- * Council Decision of 11 February 1974 on the conclusion of the Agreement between the European Economic Community and the Republic of Chad on the supply of soft wheat, maize and sorghum as food aid 6
- Agreement between the European Economic Community and the Republic of Chad on the supply of soft wheat, maize and sorghum as food aid 7
- Information on the signing of the Agreement between the European Economic Community and the Republic of Chad on the supply of food aid 9

Commission

74/163/EEC:

- * Commission Decision of 28 January 1974 authorizing the Republic of Italy to permit until 30 September 1974 the marketing of certified seeds of tall fescue and fodder [plant peas belonging to varieties the seeds of which cannot be marketed on its territory 10

(Continued overleaf)

74/164/EEC:

- * Commission Opinion of 4 February 1974 transmitted to the Government of Ireland concerning the Irish Draft European Communities (International Carriage of Passengers) Regulations, 1973 11

74/165/EEC:

- * Commission Recommendation of 6 February 1974 to the Member States concerning the application of the Council Directive of 24 April 1972 on the approximation of the laws of the Member States relating to the use of motor vehicles, and to the enforcement of the obligation to insure against such liability 12

74/166/EEC:

- * First Commission Decision of 6 February 1974 relating to the application of Council Directive No 72/166/EEC of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles, and to the enforcement of the obligation to insure against such liability 13

74/167/EEC:

- * Second Commission Decision of 6 February 1974 relating to the application of Council Directive No 72/166/EEC on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure against such liability .. 14
- Supplementary Agreement between national Bureaux of 12 December 1973 15

74/168/EEC:

Commission Decision of 15 February 1974 fixing, for the purpose of the tendering procedure referred to in Regulation (EEC) No 193/74, the maximum amounts for the costs of delivery cif of skimmed-milk powder 22

74/169/EEC:

Commission Decision of 15 February 1974 concerning the fixing of the maximum amounts for deliveries fob of skimmed-milk powder to the World Food Programme under the tendering procedure referred to in Regulation (EEC) No 233/74 23

74/170/EEC:

Commission Decision of 15 February 1974 fixing, for the purpose of the tendering procedure referred to in Regulation (EEC) No 194/74, the maximum amount for the costs of delivery cif of skimmed-milk powder 25

74/171/EEC:

Commission Decision of 15 February 1974 fixing the minimum selling price for butter for the 38th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 1259/72 26

74/172/EEC:

Commission Decision of 4 March 1974 relating to the urgent supply of skimmed-milk powder free at airport to be delivered to the Niger as food aid 2

74/173/EEC:

Commission Decision of 4 March 1974 fixing the minimum selling price for butter for the 39th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 1259/72 29

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 14 January 1974

on the conclusion of the Agreement between the European Economic Community and the Islamic Republic of Pakistan on the supply of common wheat and skimmed-milk powder as emergency food aid

(74/161/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113, 114 and 228 thereof;

Having regard to the Recommendation from the Commission;

Whereas the European Economic Community has deposited a Declaration for provisional application of the 1971 Food Aid Convention; whereas that Convention has been applicable since 1 July 1971;

Whereas by note-verbale of 17 August 1973, Pakistan has requested emergency food aid because of the flood which occurred in that country in August 1973;

Whereas in view of the cereal supply to the suffering population, that country should be accorded as emergency aid, by way of gift, 20 000 metric tons of soft wheat, whereof 10 000 metric tons under the Community Food Aid Programme (Cereals) for 1971/72 and 10 000 metric tons under the Programme for 1972/73, and 3 000 metric tons of skimmed-milk powder, to be supplied through the International Committee of the Red Cross,

Article 1

The Agreement between the European Economic Community and the Islamic Republic of Pakistan on the supply of common wheat and skimmed-milk powder as emergency food aid, the text of which is annexed hereto, is hereby concluded on behalf of the Community.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement and to confer on them the necessary powers to bind the Community.

Done at Brussels, 14 January 1974.

For the Council

The President

W. SCHEEL

AGREEMENT

between the European Economic Community and the Islamic Republic of Pakistan on the supply of common wheat and skimmed-milk powder as emergency food aid

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF PAKISTAN,

of the other part,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF PAKISTAN:

WHO HAVE DECIDED AS FOLLOWS:

Article I

The European Economic Community, hereinafter referred to as the 'Community', shall supply, as emergency food aid, to the Islamic Republic of Pakistan, hereinafter referred to as the 'country of destination':

- 20 000 metric tons of common wheat, delivered in bulk, whereof 10 000 metric tons are under the Community Food Aid Programme (Cereals) for 1971/72 and 10 000 metric tons under the Programme for 1972/73,
- 3 000 metric tons of skimmed-milk powder to be supplied through the International Committee of the Red Cross, the quality and conditions of packaging of which are laid down in Annex I, which forms an integral part of this Agreement.

Article II

Deliveries of wheat shall be made cif at the ports of discharge of the country of destination.

Article III

The obligations and responsibilities of the Community and of the country of destination relating to delivery and the taking of delivery of the wheat are defined in Annex II, which forms an integral part of this Agreement.

Article IV

The country of destination undertakes to make all necessary arrangements for the transport and insurance of the delivered products from the moment they have been taken over.

Article V

The country of destination undertakes to use the products received as aid for purposes of consumption and to distribute them free of charge to the flood victims.

Article VI

The Contracting Parties undertake to implement this Agreement in such manner as to avoid any prejudice to the normal structure of domestic production and international trade. To this end they shall take any measures required to ensure that aid-supplies are in addition to, and do not replace, commercial transactions which might reasonably be expected to take place in the absence of such supplies.

Article VII

The country of destination shall take all appropriate measures to prevent:

- the re-export of the products received as aid and of products and by-products derived from them;
- the export, commercially or otherwise, within six months from the date of the last delivery, either of the skimmed-milk powder produced locally which should be of the same kind as that received as aid or of any products or by-products derived from it.

Article VIII

The country of destination undertakes to inform the Community of the circumstances surrounding the implementation of this Agreement. For this purpose, it shall communicate to the Commission of the European Communities the following information:

- not more than 30 days after the unloading of each consignment: port and date of ship's arrival; kind, quantity and quality of products unloaded; date on which discharge was completed;
- every three months until the quantities received as aid have been fully used: the quantities distributed; the number and type of recipients; and the place, schedule and method of distribution.

Article IX

At the request of either of them, the Contracting Parties shall consult each other on any questions concerning the implementation of this Agreement.

Article X

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German and Italian languages, each of these texts being authentic.

ANNEX I

Quality and conditions of packaging of the skimmed-milk powder

I. *Quality requirements*

(a) fat content	not exceeding 1.5%
(b) water content	not exceeding 4.0%
(c) total acidity (lactic acid)	not exceeding 0.15% (18° Dornic)
(d) test for neutralizing agents	negative
(e) permitted additives	none
(f) test for phosphatase	negative
(g) solubility	not exceeding 0.5 ml (not less than 99%)
(h) degree of purity	not less than disc B (15.0 mg)
(i) germ content	not exceeding 50 000 per gr
(k) strength of colon bacillus	negative in 0.1 g
(l) flavour and smell	fresh
(m) appearance	white or slightly yellowish, absence of impurities and coloured particles

II. *Packaging*

- (a) containing 25 kilogrammes net weight;
- (b) composition:
 - (aa) 4 Kraft paper bags of a strength representing at least 70 g/m²;
1 intercalated bag of tar-lined paper of a strength representing at least 140 g/m²;
1 polyethylene inner bag at least 0.06 mm² thick, welded or double-bound;
 - or
 - (bb) 1 bag of clubpack-poly-duplo-paper of a strength representing at least 50/20/50 g/m²;
2 Kraft paper bags of a strength representing at least 70/75 g/m²;
1 polyethylene inner bag at least 0.10 mm thick, welded or double-bound;
- (c) marking on the packaging (in English):

SKIMMED-MILK POWDER/GIFT OF THE EUROPEAN ECONOMIC
COMMUNITY TO THE ISLAMIC REPUBLIC OF PAKISTAN

ANNEX II

Provisions laid down in Article III of the Agreement

Article 1

Delivery shall be effected and all risk shall pass from the Community to the country of destination at the moment at which the goods are actually taken in charge in the ship's hold at the port of discharge.

The country of destination shall pay all costs subsequent to delivery of the goods, including the costs of discharge (breaking bulk, hoisting, taking delivery, for example) as well as any lighterage costs.

Any demurrage or dispatch money at the port of discharge shall be borne by or paid to the country of destination. The rates and conditions of payment laid down in the contract between the authorized agent of the Community referred to in Article 5 and the carrier must have been agreed in advance between that agent and the receiving agent of the country of destination referred to in Article 5.

Article 2

The Community shall forward to the country of destination, as soon as possible after the goods have been shipped, a notice giving the name of the ship, the date of loading, the quantity and quality of the goods on loading and the port of discharge.

Article 3

The Community shall inform the country of destination of the ship's estimated date of arrival at the port of discharge at least 10 clear days before that date.

It shall have inserted in the charter party an undertaking by the captain to give the country of destination at least 72 hours' notice of the probable date of the ship's arrival in the port of discharge.

Article 4

On delivery of the goods, a tolerance of 5% less than the quantity to be supplied in accordance with Article 1 of the Agreement is permitted.

Article 5

To implement the provisions of this Annex, the Community shall appoint an authorized agent, whose name and address it shall make known in good time to the country of destination.

The country of destination shall appoint a receiving agent in each port of discharge, whose name and address it shall make known to the Community before the Agreement is implemented.

Information on the signing of the Agreement between the European Economic Community and the Islamic Republic of Pakistan on the supply of food aid

The Agreement between the European Economic Community and Pakistan on the supply of common wheat and skimmed-milk powder as emergency food aid, which the Council decided to conclude on 14 January 1974, was signed in Brussels on 17 January 1974, on behalf of the Council of the European Communities by:

Mr Ulrich Lebsanft, Ambassador Extraordinary and Plenipotentiary, Chairman of the Permanent Representatives Committee and

Mr Hans-Broder Krohn, Director-General for Development and Cooperation at the Commission of the European Communities, and on behalf of the Government of Pakistan by:

Mr Quamar ul Islam, Ambassador Extraordinary and Plenipotentiary, Head of the Pakistani Mission to the European Communities.

COUNCIL DECISION

of 11 February 1974

on the conclusion of the Agreement between the European Economic Community and the Republic of Chad on the supply of soft wheat, maize and sorghum as food aid

(74/162/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113, 114 and 228 thereof;

Having regard to the Recommendation from the Commission;

Whereas the European Economic Community has deposited a Declaration of provisional application of the 1971 Food Aid Convention; whereas that Convention has been applicable since 1 July 1971;

Whereas by its letter of 22 May 1973, the Republic of Chad has requested food aid;

Whereas in view of the grain supply situation in Chad that country should be accorded, by way of gift, 6 000 metric tons of cereals, in the form of 2 000 metric tons of soft wheat, 2 000 metric tons of maize and 2 000 metric tons of sorghum under the Community Food Aid Programme (Cereals) for 1972/73.

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and the Republic of Chad on the supply of soft wheat, maize and sorghum as food aid, the text whereof is annexed hereto, is hereby concluded on behalf of the Community.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement and to confer on them the necessary powers to bind the Community.

Done at Brussels, 11 February 1974.

*For the Council**The President*

J. ERTL

AGREEMENT

between the European Economic Community and the Republic of Chad on the supply of soft wheat, maize and sorghum as food aid

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF CHAD,

of the other part,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF THE REPUBLIC OF CHAD:

WHO HAVE AGREED AS FOLLOWS:

Article I

As part of its Food Aid Programme (Cereals) for 1972/73, the European Economic Community, hereinafter called the 'Community, shall supply 6 000 metric tons of cereals in the form of 2 000 metric tons of maize, 2 000 metric tons of sorghum and 2 000 metric tons of soft wheat as a gift to the Republic of Chad, hereinafter referred to as the 'country of destination'.

Article II

Deliveries shall be made in new jute bags with a net weight of 50 kg each, free to a place of destination to be determined by agreement between the country of destination and the Community.

Article III

The obligations and responsibilities of the Community and of the country of destination relating in particular to delivery and the taking of delivery are defined in the Annex, which forms an integral part of this Agreement.

Article IV

The country of destination undertakes to make all necessary arrangements for the transport and insurance of the goods as from the place of destination.

Article V

The country of destination undertakes to use the products received as aid for purposes of consumption and to distribute such products free of charge to people in need.

Article VI

The Contracting Parties undertake to implement this Agreement in such a way as to avoid any prejudice to the normal structure of domestic production and international trade. To this end they shall take any measures required to ensure that aid supplies are in addition to, and do not replace commercial transactions which might reasonably be expected in the absence of such supplies.

Article VII

The country of destination shall take all appropriate measures to prevent:

- the re-export of the product received as aid and of products resulting from such supplies;
- the export, commercially or otherwise, within six months of the last delivery, either of the product obtained locally and of the same nature as the product received as aid or of any products resulting from it.

Article VIII

The country of destination undertakes to inform the Community how this Agreement is being implemented. To this end it shall provide the Commission of the European Communities with the following information:

- not later than 30 days after delivery is taken of each consignment: port and date of taking delivery; nature, quantity and quality of the goods of which delivery has been taken;

- every three months until the quantities received as aid have been fully used: the quantities distributed, the number and type of recipients and places, the place, rate, and the methods of distribution;

Article IX

The country of destination shall take all measures necessary to enable persons duly authorised by the Community to follow the progress of operations carried out in pursuance of this Agreement on the spot.

Article X

At the request of either of them, the Contracting Parties shall consult each other on any questions concerning the implementation of this Agreement.

Article XI

This Agreement shall be drawn up in duplicate in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

ANNEX

Provisions laid down in Article III of the Agreement

Article 1

Delivery shall be effected and all risk shall pass from the Community to the country of destination at the moment at which the goods actually arrive at the place of destination.

The country of destination shall pay all costs for taking delivery of the goods, any transshipment costs and all costs subsequent to delivery.

Any costs resulting from delays in taking delivery which are attributable to the country of destination shall be borne by the latter.

Article 2

The Community shall notify the country of destination as soon as possible of the means of transport to be used to carry the goods to the place of destination, the means of shipment to be used during the intermediary phases, the date of loading and the quantity and quality of the goods as recorded on shipment from the Community.

Article 3

The Community shall inform the country of destination of the expected date of arrival of the goods at the place of destination in good time before that date. It shall confirm that date at least two days in advance.

Article 4

On delivery, a tolerance of 5% less than the quantity laid down under Article I of the Agreement is permitted.

Article 5

To implement this Annex, the Community shall appoint an authorized agent, whose name and address it shall make known in good time to the country of destination.

The country of destination shall appoint a receiving agent at each place of delivery, whose name and address it shall make known to the Community before the Agreement is implemented.

Information on the signing of the Agreement between the European Economic Community and the Republic of Chad on the supply of food aid

The Agreement between the European Economic Community and Chad on the supply of soft wheat, maize and sorghum as food aid, which the Council decided to conclude on 11 February 1974, was signed in Brussels on 13 February 1974, on behalf of the Council of the European Communities by:

Mr Eberhard Boemke, Minister Plenipotentiary, Deputy Permanent Representative and

Mr J. Durieux, Director, Directorate-General for Development and Cooperation at the Commission of the European Communities, and on behalf of the Government of Chad by:

Mr Paul Djime, Acting Chargé d'Affaires and Representative of the Government of Chad to the European Communities.

COMMISSION

COMMISSION DECISION

of 28 January 1974

authorizing the Republic of Italy to permit until 30 September 1974 the marketing of certified seeds of tall fescue and fodder plant peas belonging to varieties the seeds of which cannot be marketed on its territory

(Only the Italian text is authentic)

(74/163/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive ⁽¹⁾ of 14 June 1966 on the marketing of fodder plant seed, as last amended by the Council Directive ⁽²⁾ of 11 December 1973, and in particular Article 17 thereof;

Having regard to the request from the Republic of Italy;

Whereas the production in the Republic of Italy of certified seeds of *Festuca arundinacea* Schrb. and *Pisum arvense* L. is not sufficient to cover the needs of its agriculture;

Whereas it is impossible to cover these needs by resorting to certified seeds, from other Member States or third countries, belonging to varieties listed in either the 'Common Catalogue of agricultural varieties and species' or in a national Italian catalogue of varieties;

Whereas the Republic of Italy should therefore be authorized to permit, up to and including 30 September 1974, the marketing of certified seeds of tall fescue and fodder plant peas belonging to varieties the seeds of which cannot be marketed on its territory;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Permanent Committee on Agricultural, Horticultural and Forestry Seeds and Plants,

HAS ADOPTED THIS DECISION:

Article 1

The Republic of Italy is authorized to permit until 30 September 1974, territory a maximum of 120 metric tons of certified seed of tall fescue seed and a maximum of 500 metric tons of fodder plant peas belonging to varieties listed neither in the 'Common Catalogue of varieties and species of agricultural plants' nor in a national Italian catalogue of varieties.

Article 2

The Republic of Italy shall notify the Commission by 1 November 1974 of the quantities of certified seed of tall fescue and fodder plant peas marketed on its territory pursuant to this Directive. The Commission shall inform the other Member States.

Article 3

This Decision is addressed to the Republic of Italy.

Done at Brussels, 28 January 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

COMMISSION OPINION

of 4 February 1974

transmitted to the Government of Ireland concerning the Irish Draft European Communities (International Carriage of Passengers) Regulations, 1973

(74/164/EEC)

Under cover of letter dated 31 August 1973 the Permanent Representation of Ireland sent the Commission a copy of draft regulations which the Irish Government plans to adopt to implement the following Regulations:

- Council Regulation No 117/66/EEC ⁽¹⁾ of 28 July 1966 on the introduction of common rules for the international carriage of passengers by coach and bus;
- Commission Regulation (EEC) No 1016/68 ⁽²⁾ of 9 July 1968 prescribing the model control documents referred to in Articles 6 and 9 of Council Regulation No 117/66/EEC;
- Council Regulation (EEC) No 516/72 ⁽³⁾ of 28 February 1972 on the introduction of common rules for shuttle services by coach and bus between Member States;
- Council Regulation (EEC) No 517/72 ⁽⁴⁾ of 28 February 1972 on the introduction of common rules for regular and special regular services by coach and bus between Member States.

This communication represents consultation of the Commission as required by

- Article 10 of Regulation No 117/66/EEC,

- Article 6 of Regulation (EEC) No 1016/68,
- Article 24 of Regulation (EEC) No 516/72,
- Article 22 of Regulation (EEC) No 517/72.

The Irish Government's communication concerning Regulation (EEC) No 1172/72 ⁽⁵⁾ is to be regarded as satisfying the terms of Article 6 of the Regulation, which requires that the Commission be informed of the provisions adopted to implement it.

The Commission regrets that the Irish Government did not keep to the deadline by which the measures to implement Regulation (EEC) Nos 516/72 and 517/72 should have been adopted.

As regards the provisions of the Irish draft regulations, the Commission notes that they satisfy the obligations imposed on the Member States under the abovementioned Community Regulations.

Done at Brussels, 4 February 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 147, 9. 8. 1966, p. 2688/66.

⁽²⁾ OJ No L 173, 22. 7. 1968, p. 8.

⁽³⁾ OJ No L 67, 20. 3. 1972, p. 13.

⁽⁴⁾ OJ No L 67, 20. 3. 1972, p. 19.

⁽⁵⁾ OJ No L 134, 12. 6. 1972, p. 1.

COMMISSION RECOMMENDATION

of 6 February 1974

to the Member States concerning the application of the Council Directive of 24 April 1972 on the approximation of the laws of the Member States relating to the use of motor vehicles, and to the enforcement of the obligation to insure against such liability

(74/165/EEC)

1. By virtue of Article 7 (1) of the Council Directive (1) of 24 April 1972 on the approximation of the laws of the Member States relating to the use of motor vehicles and to the enforcement of the obligation to insure against such liability, as amended by the Council Directive (2) of 19 December 1972, any vehicle normally based in the territory of a third country must be provided either with a valid green card or with a certificate of frontier insurance valid for the whole of the territory of the Community before entering that territory;

2. Now in the Member States practice differs as to the duration of contracts of insurance against civil liability in respect of the use of motor vehicles in the form of frontier insurance; it is necessary to render uniform the practice followed in the Member States as to the minimum duration of frontier insurance so as to prevent abuse, after the removal of checks at intra-community frontiers on insurance against civil liability in respect of motor vehicles, of frontier

insurance by vehicles from third countries no longer covered, after their entry into a Member State, by insurance against civil liability valid in other Member States.

3. For these reasons, and by virtue of Article 155 of the Treaty establishing the European Economic Community, the Commission recommends that the Member States ensure that contracts of insurance against civil liability in respect of the use of motor vehicles concluded in the form of frontier insurance shall, not later than 15 May 1974, have a minimum duration of 15 days.

Done at Brussels, 6 February 1974.

For the Commission

The President

François-Xavier ORTOLI

(1) OJ No L 103, 2. 5. 1972, p. 1.

(2) OJ No L 291, 28. 12. 1972, p. 162. Correction in OJ No L 75, 23. 3. 1973, p. 30.

FIRST COMMISSION DECISION

of 6 February 1974

relating to the application of Council Directive No 72/166/EEC of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles, and to the enforcement of the obligation to insure against such liability

(74/166/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Article 2 (2) of the Council Directive (1) of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure against such liability, as amended by the Council Directive (2) of 19 December 1972;

Whereas by virtue of the Council Directive of 24 April 1972 the Member States shall, not later than 31 December 1973, bring into force the measures necessary to comply therewith;

Whereas the Member States have made or are about to make the provisions necessary to comply with the Directive's requirement that Member States shall refrain from making checks on insurance against civil liability in respect of vehicles normally based in the territory of another Member State;

Whereas on 12 December 1973 the national insurers' bureaux of the Member States concluded an Agreement in conformity with the principles expressed in Article 2 (2) (1) of the Directive of 24 April 1972; whereas the Commission ascertained this in close collaboration with the Member States; whereas this Agreement is of unlimited duration with twelve months' notice required for revocation;

Whereas, therefore, all the conditions for the removal of checks on insurance against civil liability as between Member States are or will shortly be fulfilled,

HAS ADOPTED THIS DECISION:

Article 1

From 15 May 1974 each Member State shall refrain from making checks on insurance against civil liability in respect of vehicles which are normally based in the European territory of another Member State and which are the subject of the Agreement of national insurers' bureaux of 12 December 1973.

Article 2

Member States shall forthwith inform the Commission of measures taken to apply this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 6 February 1974.

For the Commission

The President

François-Xavier ORTOLI

(1) OJ No L 103, 2. 5. 1972, p. 1.

(2) OJ No L 291, 28. 12. 1972, p. 162. Correction in OJ No L 75, 23. 3. 1973, p. 30.

SECOND COMMISSION DECISION

of 6 February 1974

relating to the application of Council Directive No 72/166/EEC of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure against such liability

(74/167/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Article 7 (3) of the Council Directive⁽¹⁾ of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure against such liability, as amended by the Council Directive⁽²⁾ of 19 December 1972;

Whereas by virtue of the Council Directive of 24 April 1972 the Member States may under the conditions set out in Article 7 (2) remove checks on insurance against civil liability in respect of vehicles entering Community territory when such vehicles are normally based in a third country;

Whereas on 12 December 1973 the national insurers' bureaux of the Member States concluded an Agreement with the national insurers' bureaux of Sweden, Finland, Norway, Austria and Switzerland in conformity with the principles set out in Article 7 (2) of the Directive by which the national insurers' bureaux of the Member States guarantee the settlement of claims in respect of accidents occurring on its territory caused by vehicles normally based in the territory of one of these third countries; whereas the Commission ascertained this in close collaboration with the Member States; whereas this Agreement is of unlimited duration with 12 months' notice required for revocation;

Whereas the Member States have also expressed their intention to amend their laws so as to conform with

the provisions of the Council Directive of 24 April 1972 as far as the removal of checks of insurance against civil liability with respect to vehicles normally based in the territory of one of these third countries is concerned;

Whereas, therefore, all the conditions for the removal of checks on insurance against civil liability as between Member States and these third countries are or will shortly be fulfilled,

HAS ADOPTED THIS DECISION:

Article 1

From 15 May 1974 each Member State shall refrain from making checks on insurance against civil liability in respect of vehicles which are normally based in the territory of Sweden, Finland, Norway, Austria and Switzerland and which are the subject of the Agreement of national insurers' bureaux of 12 December 1973.

Article 2

Member States shall forthwith inform the Commission of measures taken to apply this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 6 February 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 103, 2. 5. 1972, p. 1.

⁽²⁾ OJ No L 291, 28. 12. 1972, p. 162. Correction in OJ No L 75, 23. 3. 1973, p. 30.

ANNEX

SUPPLEMENTARY AGREEMENT BETWEEN NATIONAL BUREAUX

of 12 December 1973

(Only the French and English texts are authentic)

Article 1

(a) This Agreement is concluded on 12 December 1973 between the following Bureaux so far as the territories given opposite their names are concerned:

HUK-Verband	Federal Republic of Germany, including West Berlin
-------------	--

Verband der Versicherungsunternehmungen Österreichs	Austria
---	---------

Bureau belge des assureurs automobiles	Belgium
--	---------

Dansk Forening For International Motor-køretøjsforsikring	Denmark
---	---------

Liikennevakuutusyhdistys	Finland
--------------------------	---------

Bureau central français des sociétés d'assurance contre les accidents d'automobiles	France and Monaco
---	-------------------

Irish Visiting Motorists' Bureau	Ireland
----------------------------------	---------

Ufficio Centrale Italiano (U.C.I.)	Italy, the Vatican State and the Republic of San Marino
------------------------------------	---

Bureau luxembourgeois des assureurs contre les accidents automobiles	Luxembourg
--	------------

Trafikkforsikrings Forbundet	Norway
------------------------------	--------

Nederlands Bureau der Motorrijtuigverzekeraars	Netherlands
--	-------------

Motor Insurers' Bureau	United Kingdom of Great Britain and Northern Ireland, The Isle of Man and The Channel Islands (but excluding Gibraltar)
------------------------	---

Trafikförsäkringsföreningen	Sweden
-----------------------------	--------

Syndicat suisse d'assureurs automobiles	Switzerland and Liechtenstein
---	-------------------------------

The Agreement may be extended to the Bureaux of other countries in accordance with the provisions of Article 5 below.

(b) Each Bureau which is a signatory to this Agreement acts on behalf of all insurers authorized to transact compulsory third party motor vehicle insurance business in its own country.

(c) The contracting parties base themselves on Council Directive No 72/166/EEC of the 24 April 1972 concerning the approximation of the laws of Member States relating to the insurance of civil liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure such liability (published in the *Official Journal of the European Communities* No L 103 of 2 May 1972).

(d) This Agreement will be brought into force on the date fixed by the Commission of the European Communities for the full application of the Directive referred to in (c) above.

Article 2

(a) When a vehicle normally based in a territory referred to in Article 1 (a) goes into another territory referred to in the same Article and is there subject to compulsory third party insurance in force in that territory, the owner, user and/or driver shall be deemed to be insured within the

meaning of the Uniform Agreement between Bureaux and to be holders of a valid Certificate of Insurance issued by the Bureau responsible for the territory in which such vehicle is normally based, irrespective of whether or not they are in fact holders of such a valid Certificate.

- (b) In relation to the Bureaux which are signatories to this Agreement the territories referred to in Article 1 (a) are to be regarded for the purposes of the application of this Agreement as one single undivided territory.
- (c) The following vehicles shall be regarded as being normally based in one of the territories referred to in Article 1 (a):
- vehicles registered in that territory,
 - two-wheeled vehicles which need not be registered and which conform to the definitions set out in Appendix I.
- (d) Vehicles referred to in Appendix II shall be excluded from the scope of application of this Agreement.
- (e) Any dispute between Bureaux regarding the interpretation of the term 'normally based' in so far as it is not defined above, shall be submitted to a court of Arbitrators. This court shall consist of the President of the Council of Bureaux together with one Arbitrator appointed by each of the Bureaux involved in the dispute. If the President of the Council of Bureaux is of the same nationality as one of the Arbitrators, he shall appoint in his place another Arbitrator of a nationality other than his own or that of the other Arbitrators.
- (f) The Arbitrators thus appointed shall decide by a majority of votes finally and without appeal. In the case of equal voting the President of the Council of Bureaux or his alternate shall have the casting vote.

Article 3

- (a) This Agreement amends *pro tanto* the existing Agreements in the form of the Uniform Agreement between Bureaux which have been entered into between the parties to this Agreement but, apart from these amendments, the existing Agreements shall remain in force and the words and expressions to which a special meaning is given by the Uniform Agreement between Bureaux shall have the same meaning in this Agreement.

(b) In the event of an accident occurring in the territory of the Handling Bureau, resulting in a claim being made against the person deemed by virtue of Article 2 above to be an Insured, all existing Agreements in the form of the Uniform Agreement between Bureaux concerning the investigation and settlement of claims shall be valid notwithstanding the absence of a valid Certificate of Insurance, and such Agreements shall be interpreted, in so far as it is practicable to do so, as though they contained no stipulation requiring the existence of a Certificate of Insurance.

(c) In particular, any reference to a 'member issuing a Certificate of Insurance' shall be deemed to apply to the member who issued the insurance relating to the vehicle and, in the absence of any insurance, to the Bureau responsible for the territory where the vehicle is normally based.

Article 4

This Agreement is concluded for an unlimited period.

However, each Bureau may cancel this Agreement subject to 12 months' notice commencing from the date of posting the notice of cancellation addressed to the other Bureaux who are signatories to this Agreement and to the General Secretariat of the Comité européen des assurances, as well as to the government authorities in its country and to the Commission of the European Communities.

In addition, the Bureau must immediately inform the Secretariat of the Council of Bureaux of such cancellation.

Article 5

- (a) This Agreement may be extended to apply to the Bureaux responsible for vehicles to which the Commission of the European Communities is willing to apply the provisions of paragraphs 2 and 3 of Article 7 of the Directive referred to in Article 1 (c) above.
- (b) Extensions of this Agreement to the Bureaux of other countries shall not take effect until after
- all Bureaux which are existing signatories have indicated their approval by signing a special document to that effect and
 - the applicant Bureau has signed a copy of this Agreement.

These extensions shall come into effect on dates fixed by the Commission of the European Communities in accordance with the provisions of Article 7 (3) of the Directive referred to in Article 1(c) of this Agreement.

SIGNATURE CLAUSE

Concluded at the Head Office of the Comité européen des assurances in Paris on 12 December 1973, in the form of three copies in the French language and three copies in the English language.

One copy in each of the two languages is deposited with the General Secretariat of the Comité européen des assurances.

One copy in each of the two languages is lodged with the Commission of the European Communities.

One copy in each of the two languages is lodged with the Secretariat of the Council of Bureaux.

The General Secretariat of the Comité européen des assurances will provide each signatory Bureau with authorized copies of this Agreement.

The same procedure shall be followed with regard to any additions, extensions or amendments to this Agreement.

For the HUK-Verband

The Vice-Chairman

Dr Hans-Joachim SCHERZBERG

The Manager

Hansheinrich BRUMM

For the Verband der Versicherungsunternehmungen Österreichs

A Member of the Praesidium

Dr Hans HAJEK

The Secretary

Dr Gerhard TOELG

For the Bureau belge des assureurs automobiles

The Chairman

Jacques WAUTIER

For the Dansk Forening For International Motorkøretøjsforsikring

The President

C. P. HEIEDE

The Manager

M. BOJESEN-KOEFOED

For the Liikennevakuutusyhdistys (Finnish Motor Insurers' Bureau)

The Director

Veikko SORAMÄKI

The Director

Iikka HONKAJUURI

For the Bureau central français des sociétés d'assurances contre les accidents d'automobiles

The Chairman

H. CHATEL

For the Irish Visiting Motorists' Bureau Ltd.

The Chairman

Bartholomew K. FITZSIMON

For the Ufficio Centrale Italiano (U.C.I.)

The Chairman

Avv. Camillo CURTI

For the Bureau luxembourgeois des assureurs contre les accidents automobiles

The Chairman

Philippe MULLER

The Secretary

Fernand THIEL

For the Trafikkforsikrings Forbundet

The President of the board

Thorbjørn CONRADI

The General Manager

Knut BOYE

For the Nederlands Bureau der Motorrijtuigverzekeraars

The Chairman

F. JUTTE

For the Motor Insurers' Bureau

The Chairman

Stephen MASEFIELD

For the Trafikförsäkringsföreningen

The Director

Hugo HELLQVIST

For the Syndicat suisse d'assureurs automobiles (Swiss Group of Motor Insurers)

The Secretary General

Heinrich BRÄNDLI

ANNEX I

to the supplementary Agreement between Bureaux of 12 December 1973

The following vehicles shall be regarded as being normally based in the Federal Republic of Germany including West Berlin — bicycles fitted with an auxiliary motor of which the cubic capacity does not exceed 50 cc and the speed 50 kph, also small motor-cycles whose speed does not exceed 40 kph, while bearing a plate showing the current year as required in the Federal Republic of Germany including West Berlin.

The following vehicles shall be regarded as being normally based in Belgium — two-wheeled vehicles fitted with a motor not exceeding 50 cc cubic capacity and which are unable, because of their construction and engine power, to exceed on level roads a speed of 40 kph, providing they carry a dated provincial number plate as required in Belgium.

The following vehicles shall be regarded as being normally based in Denmark — all two-wheeled motor vehicles, including those with a simple auxiliary motor, if the driver is domiciled in that territory.

The following vehicles shall be regarded as being normally based in Finland — all two-wheeled motor vehicles, including those with a simple auxiliary motor, if the driver is domiciled in that territory.

The following vehicles shall be regarded as being normally based in France and Monaco — two-wheeled motor vehicles which are provided with both pedals and an auxiliary motor of a cylinder capacity not exceeding 50 cc, when the driver is legally domiciled in those territories.

The following vehicles shall be regarded as being normally based in Ireland — all two-wheeled motor vehicles, including those with a simple auxiliary motor, if the driver is domiciled in that territory.

The following vehicles shall be regarded as being normally based in Italy, the Vatican State and the Republic of San Marino — two-wheeled motor vehicles carrying an identity plate issued by one of those territories.

The following vehicles shall be regarded as being normally based in Luxembourg — two-wheeled motor vehicles fitted with pedals and an auxiliary motor of a maximum cylinder capacity of 50 cc which, because of their construction, do not exceed a speed of 50 kph, if they carry a plate indicating, in black on a yellow background, the number of the identity card issued to them by the Minister of Transport or his agent.

The following vehicles shall be regarded as being normally based in Norway — all two-wheeled motor vehicles, including those with a simple auxiliary motor, if the driver is domiciled in that territory.

The following vehicles shall be regarded as being normally based in the Netherlands — two-wheeled motor vehicles fitted with pedals and an auxiliary motor of a cylinder capacity not exceeding 50 cc if they have a Certificate of Insurance having the same number as their Insurance plate.

The following vehicles shall be regarded as being normally based in Sweden — all two-wheeled motor vehicles, including those fitted with a simple auxiliary motor, if the driver is domiciled in that territory.

ANNEX II

to the supplementary Agreement between Bureaux of 12 December 1973

FEDERAL REPUBLIC OF GERMANY INCLUDING WEST BERLIN

1. Vehicles which, because of their construction, do not exceed the speed of 6 kph.
2. Motorized mechanical equipment whose speed does not exceed 20 kph.
3. Vehicles and trailers with a temporary registration (customs plate).

4. Vehicles and trailers of foreign troops stationed in territory within the sovereignty of the Federal Republic of Germany, of civilian support personnel or of members and their families, when such vehicles are registered by the competent military authorities.
5. Vehicles and trailers belonging to international military headquarters established in the Federal Republic of Germany by virtue of the North Atlantic Treaty (NATO).

BELGIUM

1. Vehicles with temporary registration (customs plate).
2. Private vehicles belonging to military personnel and their families stationed in the Federal Republic of Germany.
3. Official NATO vehicles subject to the provisions of the NATO Treaty.

DENMARK

Vehicles registered in the Faroe Islands.

FRANCE ET MONACO

Military vehicles subject to the terms of international agreements.

IRELAND

1. Trailers.
2. Pedestrian-controlled vehicles neither constructed nor adapted for use for carrying the driver or a passenger and not exceeding 8 cwt. in weight unladen.
3. Vehicles with temporary registration.

ITALY, the Vatican State and San Marino

1. Vehicles with temporary registration.
2. Vehicles carrying registration plates marked 'AFI' (Allied Forces in Italy).
3. Vehicles with no registration plates (particularly motorized cycles).
4. Agricultural machines (such as agricultural tractors, their trailers and all other vehicles designed specifically for agricultural work).
5. Military vehicles governed by international agreements.
6. Vehicles belonging to the military forces and other military and civil personnel of NATO.

LUXEMBOURG

1. Agricultural tractors.
2. Motorized mechanical equipment (such as steam-rollers, bulldozers, combine-harvesters, etc).
3. Vehicles having a temporary registration, the period of which has expired.

NETHERLANDS

1. Vehicles with temporary registration.
2. Private vehicles belonging to Dutch military personnel and their families stationed in the Federal Republic of Germany.
3. Vehicles belonging to German military personnel stationed in the Netherlands.
4. Vehicles belonging to persons attached to Headquarters Allied Forces Central Europe.
5. Service vehicles of NATO armed forces.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE ISLE OF MAN AND THE CHANNEL ISLANDS (but excluding Gibraltar)

1. Invalid carriages with an unladen weight not exceeding 5 cwt (254 kgs).
2. Motor vehicles which are designed to travel on land but are not intended or adapted for use on roads.
3. NATO vehicles subject to the provisions of the London Convention of 19 June 1951 and the Paris Protocol of 28 August 1952.

SWITZERLAND AND LIECHTENSTEIN

1. Manually operated vehicles fitted with a motor.
2. Machines for agricultural work fitted with an axle and operated solely by one person on foot, which are not used to tow a trailer.
3. Motorized-cycles and invalid wheel-chairs of which the cylinder capacity does not exceed 50 cc and which, under normal circumstances, do not exceed a speed of 30 kph.
4. Vehicles having a temporary registration (customs plate), the period of which has expired.

ANNEX III

to the supplementary Agreement between Bureaux of 12 December 1973

1. *Reservation clause of the Bureau central français*

The undertaking by the Bureau central français in respect of claims caused by vehicles normally based in France or Monaco will be effective as soon as there are brought into force in France:

- (1) the Ministerial Order contemplated in Article 6 of the Decree of 29 June 1973 with regard to accidents occurring in Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland;
- (2) legislative or regulatory measures modifying or completing the existing provisions of the Law of 24 February 1958 relating to compulsory automobile insurance, of Article 15 of the Law of 31 December 1951 regarding the Guarantee Fund, and the regulations introduced for bringing them into effect, in such a way that the French Guarantee Fund will accept responsibility for accidents caused by motor vehicles normally based in France if such accidents are not covered by a valid insurance, and if they occur within the territory of other States whose Bureaux are signatories to this present Agreement.

2. *Reservation clause concerning vehicles normally based in Italy*

With regard to motor vehicles normally based in Italy which are driven in Austria, Switzerland and Liechtenstein, this Agreement will come into effect as from the date determined by the parties involved upon notice that the necessary measures have been taken:

- to assimilate, in the event of an accident within these territories, Italian citizens to national citizens of these territories with regard to the benefits provided by the Guarantee Fund, it being understood that already, the citizens of these territories are assimilated to Italian citizens if they are victims of an accident in Italy;
 - to eliminate the existing practice whereby Italian motorists without a Green Card are obliged to pay 40 Austrian Schillings or three Swiss Francs to the Austrian or Swiss frontier authorities by way of expenses for the handling of possible claims.
-

COMMISSION DECISION

of 15 February 1974

fixing, for the purpose of the tendering procedure referred to in Regulation (EEC) No 193/74, the maximum amounts for the costs of delivery cif of skimmed-milk powder

(Only the Dutch text is authentic)

(74/168/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 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by the Act ⁽²⁾ concerning the Conditions of Accession and the Adjustments to the Treaties, and in particular Article 7 (5) thereof;

Whereas, in accordance with Commission Regulation (EEC) No 193/74 ⁽³⁾ of 18 January 1974 on the opening of an invitation to tender for the supply of skimmed-milk powder to the International Red Cross Committee as food aid, the Dutch intervention agency has invited tenders in respect of the costs of cif delivery of 570 metric tons of skimmed-milk powder for the IRCC intended for various third countries;

Whereas Article 7 of Commission Regulation (EEC) No 1885/73 ⁽⁴⁾ of 12 July 1973 concerning invitations to tender for the costs of delivery, as food aid, of skimmed-milk powder held by the intervention agencies provides that in the light of the tenders received a maximum amount shall be fixed or the tendering procedure shall be cancelled;

Whereas, in view of the offers received, the maximum prices should be fixed at the level stated below;

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. The maximum amounts for the purpose of the award of contracts for the lots pursuant to Article 2 of Regulation (EEC) No 193/74 shall be as follows:

lot A: 2 466 units of account,

lot B: 1 729 units of account,

lot C: 28 925 units of account,

lot D: 16 684 units of account,

lot E: 19 414 units of account,

lot F: 14 448 units of account.

2. With regard to the lots G, H, I and J the tendering procedure has been cancelled.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 15 February 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 21, 25. 1. 1974, p. 35.

⁽⁴⁾ OJ No L 192, 13. 7. 1973, p. 31.

COMMISSION DECISION

of 15 February 1974

concerning the fixing of the maximum amounts for deliveries fob of skimmed-milk powder to the World Food Programme under the tendering procedure referred to in Regulation (EEC) No 233/74

(Only the French, German, Dutch and English texts are authentic)

(74/169/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 2721/72 ⁽¹⁾ of 19 December 1972 on the supply of skimmed-milk powder as food aid, and in particular Article 4 thereof;

Whereas in accordance with Commission Regulation (EEC) No 233/74 ⁽²⁾ of 25 January 1974 concerning the issue of an invitation to tender for the supply as food aid of skimmed-milk powder to be purchased on the Community market, the Belgian, German, French, Dutch and British intervention agencies have invited tenders for the supply of various lots, amounting to a total of 4 852.7 metric tons of skimmed-milk powder, to the World Food Programme (WFP), destined for India;

Whereas, Article 6 of Commission Regulation (EEC) No 1911/73 ⁽³⁾ of 13 July 1973 concerning invitations to tender for the supply as food aid of skimmed-milk powder bought on the Community market provides that, in the light of the tenders received, a maximum amount shall be fixed or the tendering procedure shall be cancelled;

Whereas, as a result of the tenders received and taking into account the market situation, the maximum sums may be fixed at the level stated below; whereas, in accordance with the second indent of Article 5 of Regulation (EEC) No 233/74, the maximum amounts to be applied by the intervention ag-

encies of Germany and the Benelux countries must be reduced;

Whereas the amounts of the flat-rate contribution to be paid to the WFP by the intervention agencies to cover transport and distribution costs, in accordance with the first indent of Article 12 (2) (b) of Regulation (EEC) No 1911/73, shall be diminished;

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. The maximum amounts for the purposes of awarding contracts, the lots in pursuance of Article 1(2) of Regulation (EEC) No 233/74, shall be as follows:

Lot A: 528 220 units of account,

Lot B: 527 660 units of account,

Lot C: 523 600 units of account,

Lot D: 528 430 units of account,

Lot E: 568 063 units of account,

Lot F: 679 410 units of account,

Lot G: 301 200 units of account.

2. As regards the maximum amounts to be applied by the intervention agencies of Germany and the Benelux countries, the amounts referred to in paragraph 1 shall be reduced by 2 units of account per 100 kilogrammes.

⁽¹⁾ OJ No L 291, 28. 12. 1972, p. 28.

⁽²⁾ OJ No L 26, 30. 1. 1974, p. 10.

⁽³⁾ OJ No L 196, 17. 7. 1973, p. 12.

Article 2

The standard rate contribution to be paid to the WFP by the intervention agencies to cover transport and distribution costs, in accordance with the first indent of Article 12 (2) (b) of Regulation (EEC) No 1911/73, shall be 80 US dollars per metric ton of skimmed-milk powder.

Article 3

This Decision is addressed to Belgium, Germany, France, the Netherlands and the United Kingdom.

Done at Brussels, 15 February 1974.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION DECISION

of 15 February 1974

fixing, for the purpose of the tendering procedure referred to in Regulation (EEC) No 194/74, the maximum amount for the costs of delivery cif of skimmed-milk powder

(Only the German text is authentic)

(74/170/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the Euro-
pean Economic Community;

Having regard to Council Regulation (EEC) No 804/
68 ⁽¹⁾ of 27 June 1968 on the common organization
of the market in milk and milk products, as last
amended by the Act ⁽²⁾ concerning the Conditions of
Accession and the Adjustments to the Treaties, and
in particular Article 7 (5) thereof;

Whereas, in accordance with Commission Regulation
(EEC) No 194/74 ⁽³⁾ of 18 January 1974 concerning
the issue of an invitation to tender for the supply
of skimmed-milk powder as emergency food aid to
the International Committee of the Red Cross, the
German intervention agency has invited tenders in
respect of the costs of cif delivery of 1 500 metric
tons of skimmed-milk powder for the IRCC intended
for Chile;

Whereas Article 7 of Commission Regulation (EEC)
No 1885/73 ⁽⁴⁾ of 12 July 1973 concerning invitations
to tender for the costs of delivery, as food aid, of
skimmed-milk powder held by the intervention agen-
cies provides that in the light of the tenders received
a maximum amount shall be fixed or the tendering
procedure shall be cancelled;

Whereas, in view of the offers received, the maximum
price should be fixed at the level stated below;

Whereas the measures provided for in this Decision
are in accordance with the Opinion of the Manage-
ment Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

The maximum amount for the purpose of the award
of contracts pursuant to Regulation (EEC) No 194/
74 shall be as follows:

— 122 111 units of account for the delivery in ques-
tion.

Article 2

This Decision is addressed to the Federal Republic of
Germany.

Done at Brussels, 15 February 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 21, 25. 1. 1974, p. 38.

⁽⁴⁾ OJ No L 192, 13. 7. 1973, p. 31.

COMMISSION DECISION

of 15 February 1974

fixing the minimum selling price for butter for the 38th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 1259/72

(74/171/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 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by the Act ⁽²⁾ concerning the Conditions of Accession and the Adjustments to the Treaties, and in particular Article 6 (7) thereof;

Having regard to Council Regulation (EEC) No 985/68 ⁽³⁾ of 15 July 1968 laying down general rules for intervention on the market in butter and cream, as last amended by Regulation (EEC) No 2714/72 ⁽⁴⁾, and in particular Article 7a thereof;

Whereas, pursuant to Commission Regulation (EEC) No 1259/72 ⁽⁵⁾ of 16 June 1972 on the disposal of butter at a reduced price to certain Community processing undertakings, as last amended by Regulation (EEC) No 2248/73 ⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 9 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary with the fat content of the butter; whereas alternatively a Decision may be taken not to proceed with the invitation to tender; whereas the amount of the processing security must be fixed in the light of the difference between the minimum selling price and the market price of the butter;

Whereas, in the light of the tenders received in response to the 38th individual invitation to tender, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

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

For the 38th individual invitation to tender under Regulation (EEC) No 1259/72, in respect of which the time limit for the submission of tenders expires on 12 February 1974,

- (a) the minimum selling price to be considered when awarding contracts shall be 75 u.a./100 kg butter;
- (b) the processing security shall be 114 u.a./100 kg butter without prejudice to the provisions of the second and third subparagraphs of Article 12 (1) of Regulation (EEC) No 1259/72.

Article 2

This Decision is addressed to all Member States.

Done at Brussels, 15 February 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 139, 17. 6. 1972, p. 18.

⁽⁶⁾ OJ No L 230, 18. 8. 1973, p. 14.

COMMISSION DECISION

of 4 March 1974

relating to the urgent supply of skimmed-milk powder free at airport to be delivered to the Niger as food aid

(Only the French, German and Dutch texts are authentic)

(74/172/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 ⁽¹⁾ of 27 June 1968, on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 419/74 ⁽²⁾, and in particular to Articles 7 (5) and 28 thereof;

Whereas Council Regulation (EEC) No 3582/73 ⁽³⁾ of 28 December 1973, establishing the general rules regarding the supply of skimmed-milk powder as food aid to the countries of the Sahel and Ethiopia, provides for the supply to these countries of 14 000 metric tons of skimmed-milk powder;

Whereas the same Regulation laid down in Article 2 that the transport of the skimmed-milk powder to distribution points should be financed by the Community; whereas Article 3 lays down that the transportation to the distribution points should normally be covered by a tendering procedure or in exceptional cases by recourse to a procedure of mutual agreement;

Whereas Commission Regulation (EEC) No 192/74 ⁽⁴⁾ of 18 January 1974, on the supply of skimmed-milk powder as food aid to the countries of the Sahel and Ethiopia, has provided certain rules for the supply;

Whereas the current food situation in the Niger necessitates an action allowing speedy delivery of products to the more remote areas of the country;

whereas under these conditions it is preferable to take advantage of the possibility of transporting the powder by air which the Belgian, German and French governments have set aside for this purpose and to a procedure of mutual agreement for the transportation to the airport of embarkation;

Whereas moreover the handling of the air-lift by the Belgian, German and French governments means that the intervention agencies concerned are responsible only for the transport of the skimmed-milk powder to the airport of embarkation;

Whereas, taking into account the stocks at the disposal of the intervention agencies, the quantities in question can be delivered by the Belgian, German and French intervention agencies;

Whereas, for a successful operation, it is necessary that the intervention agencies notify the Commission of the costs incurred;

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. According to the provisions of Articles 1 (1), 3 and 5 of Regulation (EEC) No 192/74, 300 metric tons of skimmed-milk powder are to be delivered to the Niger, pursuant to Regulation (EEC) No 3582/73.

2. The skimmed-milk powder to be delivered shall be taken from

— the Belgian intervention agency — 100 metric tons,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 49, 21. 2. 1974, p. 2.

⁽³⁾ OJ No L 359, 28. 12. 1973, p. 50.

⁽⁴⁾ OJ No L 21, 25. 1. 1974, p. 33.

- the German intervention agency — 100 metric tons,
- the French intervention agency — 100 metric tons.

3. The skimmed-milk powder shall as regards quality and packaging satisfy the requirements laid down in Annex 1 of Commission Regulation (EEC) No 1108/68 ⁽¹⁾ of 27 July 1968 concerning the methods of public storage of skimmed-milk powder, as last amended by Regulation (EEC) No 77/74 ⁽²⁾.

The packaging of the skimmed-milk powder shall be marked in letters at least 2 cm high:

'Lait écrémé en poudre

Don de la Communauté économique européenne au Niger

A distribuer gratuitement'.

Article 2

The delivery is to be effected on the days and from the Belgian, German and French airports communi-

cated to the intervention agencies concerned by the Commission.

Article 3

The costs of transport of the skimmed-milk powder to the airports referred to in Article 2 shall be determined by the intervention agency concerned by a procedure of mutual agreement under the least onerous conditions, taking into account the availability of transport.

Article 4

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany and to the French Republic.

Done at Brussels, 4 March 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 184, 29. 7. 1968, p. 34.

⁽²⁾ OJ No L 9, 11. 1. 1974, p. 38.

COMMISSION DECISION

of 4 March 1974

fixing the minimum selling price for butter for the 39th individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 1259/72

(74/173/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 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 419/74 ⁽²⁾, and in particular Article 6 (7) thereof;

Having regard to Council Regulation (EEC) No 985/68 ⁽³⁾ of 15 July 1968 laying down general rules for intervention on the market in butter and cream, as last amended by Regulation (EEC) No 2714/72 ⁽⁴⁾, and in particular Article 7a thereof;

Whereas, pursuant to Commission Regulation (EEC) No 1259/72 ⁽⁵⁾ of 16 June 1972 on the disposal of butter at a reduced price to certain Community processing undertakings, as last amended by Regulation (EEC) No 324/74 ⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 9 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary with the fat content of the butter; whereas alternatively a Decision may be taken not to proceed with the invitation to tender; whereas the amount of the processing security must be fixed in the light of the difference between the minimum selling price and the market price of the butter;

Whereas, in the light of the tenders received in response to the 39th individual invitation to tender,

the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

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

For the 39th individual invitation to tender under Regulation (EEC) No 1259/72, in respect of which the time limit for the submission of tenders expires on 26 February 1974,

- (a) the minimum selling price to be considered when awarding contracts shall be 75 u.a./100 kg butter with a fat content of 82 % or more,
- (b) the processing security shall be 114 u.a./100 kg butter without prejudice to the provisions of the second and third subparagraphs of Article 12 (1) of Regulation (EEC) No 1259/72.

Article 2

This Decision is addressed to all Member States.

Done at Brussels, 4 March 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 49, 21. 2. 1974, p. 2.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 291, 28. 12. 1972, p. 15.

⁽⁵⁾ OJ No L 139, 17. 6. 1972, p. 18.

⁽⁶⁾ OJ No L 35, 8. 2. 1974, p. 28.