COMMISSION DECISION

of 22 October 1976

relating to the urgent supply of common wheat flour as food aid to the United Nations High Commission for Refugees

(Only the Dutch and French texts are authentic)

(76/840/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (1), as last amended by Regulation (EEC) No 1143/76 (2),

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid (3), and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 696/76 of 25 March 1976 derogating from Regulation (EEC) No 2750/75 in respect of mobilization procedures for cereals to be supplied as food aid (4),

Whereas on 25 March 1976 the Council of the European Communities declared that it proposed by way of Community action, to grant 3 311 metric tons of common wheat flour to the United Nations High Commission for Refugees under its 1975/76 food-aid programme ;

Whereas, in view of the need to provide quick aid, it is necessary to have recourse to contracts by mutual agreement ;

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

HAS ADOPTED THIS DECISION :

Article 1

1. In accordance with Article 1 of Council Regulation (EEC) No 696/76 of 25 March 1976 the Office belge de l'économie et de l'agriculture (OBEA), 82, rue de Trèves, 1040 Bruxelles (intervention agency) shall conclude a private contract for the purchase on the Community market of 3 311 metric tons of common wheat flour for delivery to the United Nations High Commission for Refugees.

2. In concluding the private contract, the OBEA must seek the least onerous terms possible.

3. The contract shall be for the purchase and supply of the products delivered to the quay or on lighter at the port of Danang.

4. The product shall be delivered in new 50 kg cotton sacks.

The sacks shall be marked by printing :

'Farine de froment/Don de la Communauté économique européenne au haut commissariat des Nations unies pour les réfugiés au bénéfice des populations du Vietnam'.

Article 2

The product referred to in Article 1 must meet the following standards :

— moisture content : maximum 14 %,

— protein content : minimum 10·5 % (N × 6·25 of dry matter),

— ash content : maximum 0·52 % of dry matter.

If the product does not meet these requirements it shall be refused.

Article 3

1. A security of a value of 10 units of account per metric ton shall be given by the party concerned on the signature of the contract. It shall be released on the completion of the operations in question within the time limit laid down and also for those quantities not realised due to *force majeure.*

2. The security provided for in paragraph 1 may be given in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by the Member State.

(1) OJ No L 281, 1. 11. 1975, p. 1.
(2) OJ No L 130, 19. 5. 1976, p. 1.
(3) OJ No L 281, 1. 11. 1975, p. 89.
(4) OJ No L 83, 30. 3. 1976, p. 8.

Article 4

Shipment shall be carried out between 15 and 30 November 1976.

Article 5

The intervention agency shall request the interested party to specify the following information :

(a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging ;

(b) the date of the departure of the ships ; the expected date of arrival of the products at their destination ;

(c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received together with a copy of the private contract.

Article 6

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 22 October 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission