COMMISSION DECISION

of 25 February 1977

relating to the urgent supply of maize as food aid to the World Food Programme

(Only the French text is authentic)

(77/198/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 3138/76 (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 2 747 tonnes of maize to the World Food Programme 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 national interprofessionnel des céréales (ONIC), avenue Bosquet, Paris 7e (intervention agency) shall conclude a private contract for the purchase on the Community market of 2 747 tonnes of maize for delivery to the World Food Programme.

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

3. The contract shall be for the purchase and supply of the products delivered to the port of shipment in the vicinity of the vessel.

4. The products shall be delivered in new 50 kilogram jute sacks in three lots (443 tonnes, 1 800 tonnes, 504 tonnes).

The minimum weight of the sacks shall be 600 grams.

The following shall be printed on the sacks:

'Milho / Dom da comunidade económica europeia / Acção do programa alimentar mundial.'

To allow for the possibility of re-bagging, the successful tenderer shall supply 2 % of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

The product referred to in Article 1 must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed.

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

Article 3

1. A security of a value of five units of account per tonne 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 realized 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 the criteria laid down by the Member State.

(1) OJ No L 281, 1. 11. 1975, p. 1.
(2) OJ No L 354, 24. 12. 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 1 and 20 March 1977.

Article 5

The intervention agency shall request the successful tenderer 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 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 French Republic.

Done at Brussels, 25 February 1977.

For the Commission

Finn GUNDELACH

Vice-President