COMMISSION DECISION

of 10 January 1977

relating to the urgent supply of durum wheat as food aid to the League of Red Cross Societies

(Only the French text is authentic)

(77/78/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 23 December 1976 the Commission of the European Communities declared that it proposed by way of Community action, to grant 4 900 tonnes of durum wheat to the League of Red Cross Societies 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 the Article 1 of Council Regulation (EEC) No 696/76 of 25 March 1976, the Office national interprofessionel des céréales (ONIC), avenue Bosquet 21, 75326 Paris (intervention agency) shall conclude a private contract for the supply of 4 900 tonnes of durum wheat for delivery to the League of Red Cross Societies either

— by purchase on the Community market, or

— by mobilization of intervention stocks held by it, the intervention agency.

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 quay or on lighter at the port of Nouakchott or for supply alone if the products are taken from intervention stocks.

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

On the sacks shall be printed a red cross 15 cm by 15 cm as well as the following :

'Blé dur — Don de la Communauté économique européenne — Action de la Ligue des Sociétés de la Croix Rouge — A distribuer gratuitement'.

Article 2

The product referred to in Article 1 must be of fair and sound merchantable quality, be free from odour, 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 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 25 and 31 January 1977 (lot No 1 — 2 450 tonnes) and between 10 and 15 February 1977 (lot No 2 — 2 450 tonnes).

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 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 French Republic.

Done at Brussels, 10 January 1977.

For the Commission

Finn GUNDELACH

Vice-President