COMMISSION DECISION

of 28 March 1978

relating to the urgent supply of maize meal as food aid to the Republic of Botswana and the Kingdom of Lesotho

(Only the English text is authentic)

(78/357/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 2560/77 (2), and in particular Article 28 (3) thereof,

Whereas on 8 February 1977 the Council of the European Communities declared that it proposed, by way of Community action, to grant 278 tonnes of maize meal to the Republic of Botswana and 72 tonnes of maize meal to the Kingdom of Lesotho under its 1976/77 food-aid programme ;

Whereas the white maize meal requested by these countries is not available on the Community market ; whereas consequently it must be obtained on the world market ;

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 28 (1) of Council Regulation (EEC) No 2727/75 of 29 October 1975, the Intervention Board for Agricultural Produce (IBAP), 2, West Mall, Butts Centre, Reading (intervention agency) shall conclude a private contract for the purchase on the Zambian market of 278 tonnes of white maize meal for delivery to the Republic of Botswana and of 72 tonnes of white maize meal for delivery to the Kingdom of Lesotho.

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

3. The contract shall be for the purchase and supply of the products delivered to Francistown (lot No 1), to Selebi-Pikwe (lot No 2) and to Mazerin (lot No 3).

4. The products shall be delivered in new 50 kilogram cotton sacks in two lots of 139 tonnes each for lots 1 and 2.

The minimum weight of the sacks shall be 180 grams.

The following shall be printed on the sacks :

'Corn meal / Gift of the European Economic Community to the Republic of Botswana / For free distribution' (Lot Nos 1 and 2).

'Corn meal / Gift of the European Economic Community to the Kingdom of Lesotho / For free distribution' (Lot No 3).

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 meet the following requirements :

— moisture content : maximum 12 %,

— acidity : 0·6 ‰ maximum,

— fat content by weight : 1·5 % maximum.

Produce not meeting these requirements shall be refused.

Article 3

1. A security of value of 10 units of account per tonne shall be given by the party concerned on the signing 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 303, 28. 11. 1977, p. 1.

Article 4

Delivery shall be carried out between 15 and 30 April 1978.

Article 5

The intervention agency shall ask that the interested party specifies the following information :

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

(b) the date of the departure, and 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 United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 28 March 1978.

For the Commission

Finn GUNDELACH

Vice-President