COMMISSION DECISION

of 17 July 1978

on the urgent supply of maize meal as food aid to Zaire

(Only the Italian text is authentic)

(78/625/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 1254/78 (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 procedure 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 5 555 tonnes of maize meal to Zaire 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 Azienda di Stato per gli interventi sui Mercati Agricoli (AIMA), Via Palestro, 81, Roma (intervention agency) shall conclude a private contract for the purchase on the Community market of 5 555 tonnes of maize for delivery to Zaire.

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

3. The contract shall be for the purchase and supply of the products delivered to Matadi.

4. The product shall be delivered in four lots in new jute sacks of 50 kilograms net weight lined with sacks of six-ply Clupak paper.

The following shall be printed on the sacks :

'Semoules de maïs / Don de la Communauté économique européenne à la république du Zaïre'.

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 : 12 % maximum,

— acidity : 0·6 % maximum,

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

Products not meeting these requirements shall be refused.

Article 3

1. A security of a value of 10 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 delivered owing 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 156, 14. 6. 1978, 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 15 August 1978 for Lot 1 (1 500 tonnes), 15 and 30 August 1978 for Lot 2 (1 500 tonnes), 1 and 15 September 1978 for Lot 3 (1 500 tonnes) and 15 and 30 September 1978 for Lot 4 (1 055 tonnes).

Article 5

The intervention agency shall ask that the interested party supplies 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

As regards this action, the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 7

This Decision is addressed to the Italian Republic.

Done at Brussels, 17 July 1978.

For the Commission

Finn GUNDELACH

Vice-President