COMMISSION DECISION

of 20 July 1978

relating to the urgent supply of long grain husked rice as food aid to the United Nations High Commission for Refugees

(Only the Italian text is authentic)

(78/683/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice [1], as last amended by Regulation (EEC) No 1260/78 [2],

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended 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 8 February 1977 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 1 250 tonnes of long grain husked rice to the United Nations High Commission for Refugees under its 1976/77 food-aid programme ;

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

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 Italian Rice Intervention Agency (Enterisi), Piazza Pio XI, 1, Milan, shall conclude a private contract for the purchase on the Community market of 1 250 tonnes of long grain husked rice for delivery to the United Nations High Commission for Refugees.

2. In concluding the private contract, Enterisi 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 ports of Boma (Lot 1 : 625 tonnes) and Matadi (Lot 2 : 625 tonnes).

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

The sacks shall be marked by printing :

'Riz / Don de la Communauté économique européenne / Action UNHCR au Zaïre / À distribuer gratuitement'.

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 :

(a) rice, free of odour, of a sound and fair marketable quality ;

(b) moisture content : 15 % ;

(c) percentage of rice grains which are not of unimpaired quality :

— paddy grains : 1 %,

— broken rice : 5 %,

— green grains or grains showing natural malformation 5 % (including up to 0·5 % of red grains) ;

(1) OJ No L 166, 25. 6. 1976, p. 1.
(2) OJ No L 156, 14. 6. 1978, p. 11.
(3) OJ No L 281, 1. 11. 1975, p. 89.
(4) OJ No L 83, 30. 3. 1976, p. 8.

(d) tolerance of extraneous matter, consisting of :

— mineral or vegetable inedible substances provided that they are not toxic 0·01 %,

— extraneous grains or parts thereof, edible 0·10 % ;

(e) when wholly milled, percentage of wholly milled rice grains which are not of unimpaired quality :

— chalky grains : 5 %,

— spotted grains : 1·5 %,

— yellow grains : 0·05 %,

— stained grains : 1 %,

— amber grains : 0·20 %.

Rice 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 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.

Article 4

Shipment shall be carried out between 1 and 30 August 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 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, 20 July 1978.

For the Commission

Finn GUNDELACH

Vice-President