COMMISSION DECISION

of 28 July 1978

relating to the urgent supply of maize meal as food aid to the Republic of Zaire

(Only the English text is authentic)

(78/714/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), 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 2 000 tonnes of maize meal to the Republic of Zaire under its 1976/77 food-aid programme ;

Whereas the white maize meal requested by that country 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 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 Regulation (EEC) No 2727/75, 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 2 000 tonnes of white maize meal for delivery to the Republic of Zaire.

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

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

4. The products shall be delivered in new 50 kilogram polypropylene sacks in four lots of 500 tonnes each.

The minimum weight of the sacks shall be 125 grams.

The following shall be printed on the sacks :

'Semoules de mais / 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.

Produce 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 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 156, 14. 6. 1978, p. 1.

Article 4

Delivery shall be carried out between :

— 1 and 30 August 1978 (Lot 1),
— 1 and 15 September 1978 (Lot 2),
— 1 and 15 October 1978 (Lot 3),
— 1 and 15 November 1978 (Lot 4).

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 July 1978.

For the Commission

Finn GUNDELACH

Vice-President