

## COMMISSION DECISION

of 26 November 1980

relating to the urgent supply of common wheat flour and maize meal as food aid to the United Nations High Commission for Refugees

(Only the Italian text is authentic)

(80/1140/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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1870/80<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid<sup>(3)</sup>, 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<sup>(4)</sup>,

Whereas on 8 May 1979 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 2 000 tonnes of cereals to the United Nations High Commission for Refugees under its 1979 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 Azienda di Stato per gli Interventi sui Mercati Agricoli (AIMA) via Palestro 81, Rome (intervention agency) shall conclude a private contract for the purchase on the Community market of :

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 184, 17. 7. 1980, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 89.

<sup>(4)</sup> OJ No L 83, 30. 3. 1976, p. 8.

— 752 tonnes of common wheat flour,

— 555 tonnes of maize meal,

for delivery to the United Nations High Commission for Refugees.

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 unloaded at Kousseri via Douala.

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

The sacks shall be marked by printing :

*common wheat flour*

'Wheat flour / Gift of the European Economic Community / For free distribution / UNHCR assistance for Chadian refugees in Cameroon / Kousseri via Douala.'

*maize meal*

'Maize meal / Gift of the European Economic Community / For free distribution / UNHCR assistance for Chadian refugees in Cameroon / Kousseri via Douala.'

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

1. The product referred to in Article 1 must meet the following requirements :

*common wheat flour*

— moisture : 14 % maximum,

— protein content : 10.5 % minimum (N × 6.25 on dry matter),

— ash content : 0.62 % maximum referred to dry matter.

If the product does not meet these requirements, it shall be refused.

*maize meal* falling within subheading 11.02 A V a) 2 of the Common Customs Tariff:

- moisture content: maximum 13 %,
- acidity: 0.6 % maximum.

If the product does not meet these requirements it shall be refused.

2. For this purpose the intervention agency of the country of shipment shall arrange for a check at the port at the time of loading on the nature, quality and packaging of the goods. Following inspection an attestation shall be issued. The costs relating thereto shall be borne by the successful tenderer.

3. Samples intended for analysis shall be taken and the inspection shall be carried out in accordance with the trade practices in force in the country of shipment.

#### Article 3

1. A security of a value of 12 ECU 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 31 December 1980.

#### 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, 26 November 1980.

*For the Commission*

Finn GUNDELACH

*Vice-President*

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