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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(74) 1818 final

Brussels, 11 November 1974

RECOMMENDATION FOR A COUNCIL DECISION

on the conclusion of an agreement between the European Economic Community
and the Islamic Republic of Mauritania for the supply of cereals as food aid

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(submitted to the Council by the Commission)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Articles 113, 114 and 228 thereof;

Having regard to the Recommendation from the Commission;

Whereas the European Economic Community has concluded the second Convention
relating to food aid⁽¹⁾

Whereas the Islamic Republic of Mauritania, by its letter of 12.12.1973
has requested food aid;

Whereas in view of the cereal supply situation in the Islamic Republic of
Mauritania, that country should be accorded, by way of gift, 10 000 metric tons
of cereals in the form of 8 000 metric tons of soft wheat and 2 000 metric tons
of maize under the Community Food Aid Programme for 1973/74.

DECIDES:

Article 1

On behalf of the European Economic Community an Agreement, the text whereof
is annexed hereto, shall be concluded between the European Economic Community
and the Islamic Republic of Mauritania for the supply of soft wheat and maize
as food aid.

Article 2

The President of the Council is hereby authorized to designate those who
are to sign the Agreement and to confer on them the requisite powers to bind
the Community.

Done at Brussels, 11 November 1974

For the Council
The President

⁽¹⁾ OJ No L 219 of 9.8.1974, p.19

AGREEMENT

**BETWEEN THE EUROPEAN ECONOMIC COMMUNITY
AND THE ISLAMIC REPUBLIC OF MAURITANIA
CONCERNING THE SUPPLY AS FOOD AID OF
CEREALS.**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

on the one hand,

THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF MAURITANIA

on the other hand,

HAVE DECIDED to conclude this Agreement and to this end have designated
as their plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF MAURITANIA :

WHO HAVE AGREED AS FOLLOWS:

.../...

Article I

As a part of its Food Aid Programme (Cereals) for 1973/74, the European Economic Community shall supply, by way of gift, the Islamic Republic of Mauritania, hereinafter referred as the "recipient country", with 10 000 metric tons of cereals in the form of 8 000 metric tons of soft wheat and 2 000 metric tons of maize.

Article II

Deliveries will be made in new jute sacks of a net weight of 50 kg each, cif ports of unloading in the recipient country.

Article III

The obligations and responsibilities of the European Economic Community and of the recipient country relating to delivery and the taking of delivery are defined in the Annex, which forms an integral part of this Agreement.

Article IV

The recipient country undertakes to make all necessary arrangements for the transport and insurance of the product from the CIF-stage to places of destination.

Article V

The recipient country undertakes to use the product received as aid for purposes of consumption and to distribute it to people in need free of charge.

Article VI

The European Economic Community shall grant the recipient country funds to cover the costs incurred by that country for the transport of the delivered products from the cif-stage to places of destination.

These funds shall amount to 50 units of account per metric ton of delivered product.

The Community undertakes to pay this as soon as possible after receipt by the Commission of the information required in Article 6 of the annex.

Article VII

The Contracting Parties undertake to implement this Agreement in such a way as to avoid any prejudice to the normal structure of domestic production and international trade. To this end they shall take any measures required to ensure that aid supplies are in addition to, and do not replace business transactions which might reasonably be expected in the absence of such supplies.

Article VIII

The recipient country shall take any measures required to prevent:

- (i) The re-export of the products received as aid and of products and by-products resulting from such supplies;
- (ii) The export, commercially or otherwise, within six months of the last delivery, either of the products obtained locally and of the same nature as the products received as aid or of any products or by-products resulting from it.

Article IX

The recipient country undertakes to inform the European Economic Community how this Agreement is being implemented. To this end it shall provide the Commission of the European Communities every three months until the quantities received as aid have been fully used with the following information : reports indicating in particular number and nature of the beneficiaries, the quantities distributed, places and manner of distribution.

Article X

The recipient country shall take all appropriate steps to enable those persons duly authorized by the European Economic Community to make on the spot observations of the operations connected with the implementation of the Agreement.

Article XI

At the request of either party, the contracting parties shall consult one another on all questions concerning the application of this Agreement.

Article XII

This Agreement is drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, these texts being equally authentic.

ANNEX TO ARTICLE III OF THE AGREEMENT

Article 1

Delivery shall be completed and the risks shall pass from the European Economic Community to the recipient country as soon as the goods are actually taken in charge in the ship's hold at the port of unloading.

The recipient country shall bear all costs subsequent to delivery of the goods, including the costs of unloading (breaking, bulk, hoisting, taking delivery, for example) as well as any lighterage costs.

Any demurrage costs or dispatch money at the port of unloading shall, as the case may be, be borne by or paid to the recipient country. The rates and conditions of payment applying to any contract between the Community agent referred to in Article 5 and the carrier must have been previously agreed between that agent and the recipient country's agent referred to in Article 5.

Article 2

The European Economic Community shall forward to the recipient country, as soon as possible after the goods have been shipped, a notice giving the name of the ship, the date of loading, the quantity and quality of the goods on loading and the port of unloading.

Article 3

The European Economic Community shall inform the recipient country of the ship's presumed date of arrival at the port of unloading at least ten clear days before that date.

The European Economic Community shall cause to be inserted in the charter-party an undertaking by the captain to give to the recipient country at least 72 hours' notice of the probable date of the ship's arrival in the port.

Article 4

On delivery of the goods, a tolerance of 5 % less than the quantity to be supplied in accordance with Article I of the Agreement is permitted.

Article 5

The European Economic Community shall appoint an agent to implement the provisions of this Annex, and shall in good time forward the latter's name and address to the recipient country.

The recipient country shall appoint an agent in each port of unloading, and shall forward the latter's name and address to the European Economic Community prior to implementation of the Agreement.

Article 6

On delivery of the goods the country of destination shall hand to the authorized agent of the European Economic Community a taking-over certificate, stating the place and date of taking over, the nature and the quantity as well as contingent observations about the quality of these goods and shall send a copy thereof to the Commission of the European Community.