

COMMISSION DECISION

of 14 June 1978

relating to the urgent supply of common wheat as food aid to the People's Republic of Bangladesh

(Only the French and Dutch texts are authentic)

(78/589/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 1125/78⁽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 procedures for cereals to be supplied as food aid⁽⁴⁾,

Whereas, on 30 January 1978, the Council of the European Communities declared that it proposed, by way of Community action, to grant 25 000 tonnes of common wheat to the People's Republic of Bangladesh under its 1977/78 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 Regulation (EEC) No 696/76, the Office belge de l'économie et de l'agriculture (OBEA), 82, rue de Trèves, 1040 Brussels (intervention agency) shall conclude a private contract for

the purchase on the Community market of 25 000 tonnes of common wheat for delivery to the People's Republic of Bangladesh.

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

3. The contract shall be for the purchase and supply of the products delivered to the port of Antwerp in the vicinity of the vessel.

4. The product shall be delivered in bulk in five lots, each of 5 000 tonnes.

Article 2

The product referred to in Article 1 must be of fair and sound merchantable quality and correspond at least to the standard quality for which the intervention price is fixed, except that the moisture content shall not exceed 15.5 % and that a maximum of 3 % of sprouted grains and 1.5 % of miscellaneous impurities shall be allowed. If the product does not meet these requirements it shall be refused.

Article 3

1. A security of a value of five 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 criteria laid down by the Member State.

Article 4

Shipment shall be carried out between 1 and 15 July 1978.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 142, 30. 5. 1978, p. 21.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 83, 30. 3. 1976, p. 8.

Article 5

The intervention agency shall request the interested party to specify 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 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 Kingdom of Belgium.

Done at Brussels, 14 June 1978.

For the Commission

Finn GUNDELACH

Vice-President