

**AGREEMENT**

between the European Economic Community and the Republic of Senegal on the supply of maize as food aid

THE COUNCIL OF THE EUROPEAN COMMUNITIES,  
of the one part,

THE GOVERNMENT OF THE REPUBLIC OF SENEGAL,  
of the other part,

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 REPUBLIC OF SENEGAL:

WHO HAVE AGREED AS FOLLOWS:

*Article I*

As part of its Food Aid Programme (Cereals) for 1973/74, the European Economic Community, hereinafter called the 'Community', shall supply 15 000 metric tons of maize as a gift to the Republic of Senegal, hereinafter referred to as the 'country of destination'.

*Article II*

Deliveries shall be made in new jute bags with a net weight of 50 kg each, free to a place of destination to be determined by agreement between the country of destination and the Community.

*Article III*

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

*Article IV*

The country of destination undertakes to make all necessary arrangements for the transport and insurance of the goods as from the place of destination.

*Article V*

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

*Article VI*

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 commercial transactions which might reasonably be expected in the absence of such supplies.

*Article VII*

The country of destination shall take all appropriate measures to prevent:

- the re-export of the product received as aid and of products and by-products resulting from such supplies;
- the export, commercially or otherwise, within six months of the last delivery, either of the product

obtained locally and of the same nature as the product received as aid or of any products and by-products resulting from it.

#### *Article VIII*

The country of destination undertakes to inform the 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, reports indicating in particular the quantities distributed, the number and type of recipients and the places, rate and method of distribution.

#### *Article IX*

The country of destination shall take all measures necessary to enable persons duly authorized by the

Community to follow the progress of operations carried out in pursuance of this Agreement on the spot.

#### *Article X*

At the request of either of them, the Contracting Parties shall consult each other on any questions concerning the implementation of this Agreement.

#### *Article XI*

This Agreement shall be drawn up in duplicate in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

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### ANNEX

#### Provisions laid down in Article III of the Agreement

##### *Article 1*

Delivery shall be effected and all risk shall pass from the Community to the country of destination at the moment at which the goods actually arrive at the place of destination.

The country of destination shall pay all costs for taking delivery of the goods, any transshipment costs and all costs subsequent to delivery.

Any costs resulting from delays in taking delivery which are attributable to the country of destination shall be borne by the latter.

##### *Article 2*

The Community shall notify the country of destination as soon as possible of the means of transport to be used to carry the goods to the place of destination, the means of shipment to be used during the intermediary phases, the date of loading and the quantity and quality of the goods as recorded on shipment from the Community.

##### *Article 3*

The Community shall inform the country of destination of the expected date of arrival of the goods at the place of destination in good time before that date. It shall confirm that date at least two days in advance.

##### *Article 4*

On delivery, a tolerance of 5 % less than the quantity laid down under Article I of the Agreement is permitted.

##### *Article 5*

To implement this Annex, the Community shall appoint an authorized agent, whose name and address it shall make known in good time to the country of destination.

The country of destination shall appoint a receiving agent at each place of delivery, whose name and address it shall make known to the Community before the Agreement is implemented.

*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 any observations about the quality of the goods. It shall send a copy thereof to the Commission of the European Communities.

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**Information concerning the signing of the Agreement between the European Economic Community and the Republic of Senegal on the supply of food aid**

The Agreement between the European Economic Community and Senegal on the supply of maize as food aid, which the Council decided to conclude on 4 June 1974, was signed in Brussels on 5 June 1974 on behalf of the Council of the European Communities by:

Mr Ulrich Lebsanft, Ambassador Extraordinary and Plenipotentiary, Chairman of the Permanent Representatives Committee, and

Mr Hans-Broder Krohn, Director-General for Development and Cooperation, Commission of the European Communities, and on behalf of the Government of Senegal by:

Mr Seydina Oumar Sy, Ambassador, Representative of Senegal to the European Communities.

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