COMMISSION REGULATION (EEC) No 3392/80

of 23 December 1980

on the delivery of various consignments of skimmed-milk powder as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products (1), as last amended by Regulation (EEC) No 1761/78 (2), and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 827/78 of 25 April 1978 laying down general rules for the supply of skimmed-milk powder to certain developing countries and specialized bodies under the 1978 food-aid programme (3), and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 937/79 of 8 May 1979 laying down general rules for the supply of skimmed-milk powder to certain developing countries and specialized bodies under the 1979 food-aid programme (4), and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 1310/80 of 28 May 1980 laying down general rules for the supply of skimmed-milk powder to certain developing countries and specialized bodies under the 1980 food-aid programme (5), and in particular Article 6 thereof,

Whereas, under the food-aid programmes adopted by the Council Regulations specified in the Annex, certain third countries and beneficiary organizations have requested the delivery of the quantity of skimmed-milk powder set out therein;

Whereas, therefore, delivery should be effected in accordance with the rules laid down in Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food aid (6), as last amended by Regulation (EEC) No 1488/79 (7); whereas, in particular, the periods and terms for delivery and the procedure to be followed by the intervention agencies to establish the costs arising therefrom should be laid down;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with the provisions of Regulation (EEC) No 303/77 the intervention agencies as specified in the Annex shall deliver skimmed-milk powder as food aid on the special terms set out therein.

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities.*

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 December1980.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 204, 28. 7. 1978, p. 6.
(3) OJ No L 115, 27. 4. 1978, p. 1.
(4) OJ No L 119, 15. 5. 1979, p. 1.
(5) OJ No L 134, 31. 5. 1980, p. 10.
(6) OJ No L 43, 15. 2. 1977, p. 1.
(7) OJ No L 181, 18. 7. 1979, p. 20.

ANNEX (1)

Consignment	A	B	C
1. Application of Council Regulations:			
(a) legal basis	(EEC) No 937/79 (1979 programme)		
(b) affectation	(EEC) No 938/79		
2. Beneficiary	India		
3. Country of destination			
4. Total quantity of the consignment	2 000 tonnes (5)	2 000 tonnes (5)	500 tonnes
5. Intervention agency responsible for delivery	German		
6. Origin of the skimmed-milk powder (2)	Intervention stock (entry in stock after 1 September 1980)		
7. Special characteristics and/or packaging (3)			
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / Followed by		
	Bombay'	Calcutta'	Madras'
9. Delivery period	Delivery in February 1981		
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country (4)		
11. Representative of the beneficiary responsible for reception (4)			
12. Procedure to be applied to determine the costs of supply	Tender		
13. Expiry of the time limit for submission of tenders	12 noon on 12 January 1981		

Consignment	D	E
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 937/79 (1979 programme)	
(b) affectation	(EEC) No 938/79	
2. Beneficiary	India	
3. Country of destination		
4. Total quantity of the consignment	1 000 tonnes (3)	1 000 tonnes (3)
5. Intervention agency responsible for delivery	German	
6. Origin of the skimmed-milk powder (2)	Intervention stock (Entry in stock after 1 October 1980)	
7. Special characteristics and/or packaging (3)		
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / followed by Bombay'	Calcutta'
9. Delivery period	Delivery in March 1981	
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country (4)	
11. Representative of the beneficiary responsible for reception (4)		
12. Procedure to be applied to determine the costs of supply	Tender	
13. Expiry of the time limit for submission of tenders	12 noon on 12 January 1981	

Consignment	F	G
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 1310/80 (1980 programme)	
(b) affectation	(EEC) No 1311/80	
2. Beneficiary	Sierra Leone	UNHCR
3. Country of destination		Zimbabwe
4. Total quantity of the consignment	1 000 tonnes (1)	500 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12	
6. Origin of the skimmed-milk powder (2)	Bought on the Community market	
7. Special characteristics and/or packaging (3)	Vitamin A content: 5 000 IU per 100 g minimum Vitamin D content: 500 IU per 100 g minimum Date of manufacture clearly indicated on the bags	
8. Markings on the packaging	'Skimmed-milk powder enriched with vitamins A and D / Gift of the European Economic Community to Sierra Leone / For free distribution'	'Skimmed-milk powder enriched with vitamins A and D / Gift of the European Economic Community / For free distribution / UNHCR assistance in Zimbabwe'
9. Delivery period	Loading in February 1981	
10. Stage and place of delivery	Port of unloading Freetown (deposited on quay or lighters)	Delivered to Salisbury (8)
11. Representative of the beneficiary responsible for reception (4)	The National Authorizing Officer, Office of the First Vice-President, Tower Hill, PO Box 1402, Freetown	The Representative, UNHCR Branch Office in Zimbabwe, PO Box 4565, Salisbury, Zimbabwe, (telex 4608 RH Salisbury, tel. 793274 — 793275
12. Procedure to be applied to determine the costs of supply	Tender	
13. Expiry of the time limit for submission of tenders	12 noon on 12 January 1981	

Consignment	H	I
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 1310/80 (1980 programme)	
(b) affectation	(EEC) No 1311/80	
2. Beneficiary	Comoros	
3. Country of destination		
4. Total quantity of the consignment	100 tonnes	100 tonnes
5. Intervention agency responsible for delivery	French	
6. Origin of the skimmed-milk powder (2)	Bought on the Community market	
7. Special characteristics and/or packaging (3)	Vitamin A content: 5 000 IU per 100 g minimum Vitamin D content: 500 IU per 100 g minimum Date of manufacture clearly indicated on the bags	
8. Markings on the packaging	'Lait écrémé en poudre vitaminé / Don de la Communauté économique européenne aux Comores / Pour distribution gratuite'	
9. Delivery period	Loading as soon as possible and at the latest 15 January 1981	
10. Stage and place of delivery	Port of unloading Moroni (deposited on quay or lighters)	Port of unloading Mutsamudu (deposited on quay or lighters)
11. Representative of the beneficiary responsible for reception (4)	Ministère de l'Economie, des Finances et du Plan, Service de la gestion des aides internationales, Moroni, Grande Comore, (telex 219 MAERFIC KO)	
12. Procedure to be applied to determine the costs of supply	Mutual agreement	
13. Expiry of the time limit for submission of tenders	—	

Consignment	K	L
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 1310/80 (1980 programme)	
(b) affectation	(EEC) No 1311/80	
2. Beneficiary	Comoros	
3. Country of destination		
4. Total quantity of the consignment	100 tonnes	100 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12	
6. Origin of the skimmed-milk powder (2)	Bought on the Community market	
7. Special characteristics and/or packaging (3)	Vitamin A content: 5 000 IU per 100 g minimum Vitamin D content: 500 IU per 100 g minimum Date of manufacture clearly indicated on the bags	
8. Markings on the packaging	'Lait écrémé en poudre vitaminé / Don de la Communauté économique européenne aux Comores / Pour distribution gratuite'	
9. Delivery period	Loading in February 1981	
10. Stage and place of delivery	Port of unloading Moroni (deposited on the quay or on lighters)	Port of unloading Mutsamudu (deposited on the quay or on lighters)
11. Representative of the beneficiary responsible for reception (4)	Ministère de l'Économie, des finances et du plan, Service de la gestion des aides internationales, Moroni, Grande Comore (telex: 219 MAERFIC KO)	
12. Procedure to be applied to determine the costs of supply	Tender	
13. Expiry of the time limit for submission of tenders	12 noon on 12 January 1981	

Consignment	M	N
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 1310/80 (1980 programme)	
(b) affectation	(EEC) No 1311/80	
2. Beneficiary	Guyana	
3. Country of destination		
4. Total quantity of the consignment	200 tonnes	300 tonnes
5. Intervention agency responsible for delivery	Belgian	Will result from application of the procedure referred to in point 12
6. Origin of the skimmed-milk powder (2)	Bought on the Community market	
7. Special characteristics and/or packaging (3)	Vitamin A content: 5 000 IU per 100 g minimum Vitamin D content: 500 IU per 100 g minimum Date of manufacture clearly indicated on the bags	
8. Markings on the packaging	'Skimmed-milk powder enriched with vitamins A and D / Gift of the European Community to Guyana'	
9. Delivery period	Delivery as soon as possible and at the latest 15 January 1981	Delivery in February 1981
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country	
11. Representative of the beneficiary responsible for reception (4)		
12. Procedure to be applied to determine the costs of supply	Mutual agreement	Tender
13. Expiry of the time limit for submission of tenders	—	12 noon on 12 January 1981

Consignment	O	P
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 937/79 (1979 programme)	
(b) affectation	(EEC) No 938/79 (general reserve)	
2. Beneficiary	Catholic Relief Service	
3. Country of destination	Haiti	
4. Total quantity of the consignment	250 tonnes	250 tonnes
5. Intervention agency responsible for delivery	Belgian	
6. Origin of the skimmed-milk powder (2)	Bought on the Community market	
7. Special characteristics and/or packaging (3)	Vitamin A content: 5 000 IU per 100 g minimum Vitamin D content: 500 IU per 100 g minimum Date of manufacture clearly indicated on the bags	
8. Markings on the packaging	'Lait écrémé en poudre enrichi en vitamines A et D / Don de la Communauté économique européenne / Destiné à la distribution gratuite en Haiti / Cathwel / followed by	
	6132 / Port au Prince'	6133 / Port au Prince'
9. Delivery period	Loading as soon as possible and at the latest 15 January 1981	
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country (9)	
11. Representative of the beneficiary responsible for reception (4)	CEBEMO, Transport Group, Van Alkemadelaan 1, NL-2597 Den Haag (telex: 34278 CEMEC NL; Tel. 244594)	
12. Procedure to be applied to determine the costs of supply	Mutual agreement	
13. Expiry of the time limit for submission of tenders	—	

Consignment	Q	R
1. Application of Council Regulations:		
(a) legal basis	(EEC) No 1310/80 (1980 programme)	(EEC) No 827/78 (1978 programme)
(b) affectation	(EEC) No 1311/80	(EEC) No 828/78
2. Beneficiary	WFP	Guinea Bissau
3. Country of destination	Cameroon	Guinea Bissau
4. Total quantity of the consignment	60 tonnes	150 tonnes
5. Intervention agency responsible for delivery	French	
6. Origin of the skimmed-milk powder (2)	Intervention stock (entry into stock after 1 February 1980)	
7. Special characteristics and/or packaging (3)		
8. Markings on the packaging	'Cameroon 773 exp / Skimmed-milk powder non-enriched / Douala / Gift of the European Economic Community / Action of the World Food Programme'	'Leite desnatado em pó / Dom da Comunidade económica europeia à Republica da Guine-Bissau'
9. Delivery period	Delivery as soon as possible and at the latest 15 January 1981	Loading as soon as possible and at the latest 15 January 1981
10. Stage and place of delivery	Community port of loading operating a regular service with recipient country	Port of unloading Bissau (deposited on quay or lighters)
11. Representative of the beneficiary responsible for reception (4)		Commissariado de Estado industria et Artesanato, caixa postal 85, Bissau
12. Procedure to be applied to determine the costs of supply	Mutual agreement	
13. Expiry of the time limit for submission of tenders	—	

Consignment	S	T	U
1. Application of Council Regulations:			
(a) legal basis	(EEC) No 937/79 (1979 programme)		
(b) affectation	(EEC) No 938/79		
2. Beneficiary	NGO (SOS Boites de lait)	NGO (Caritas Germanica)	NGO (World Council of Churches)
3. Country of destination	India	Portugal	Kenya
4. Total quantity of the consignment	45 tonnes	150 tonnes	80 tonnes
5. Intervention agency responsible for delivery	German		
6. Origin of the skimmed-milk powder (2)	Bought on the Community market		
7. Special characteristics and/or packaging (3)	Vitamin A content: 5 000 IU per 100 g minimum Vitamin D content: 500 IU per 100 g minimum Date of manufacture clearly indicated on the bags		
8. Markings on the packaging	See notes (10) (11)	'Leite desnatado em pó com vitaminas A e D / Dom da Comunidade económica europeia / Destinado à distribuição gratuita em Portugal / Caritas / 5442 / Lisbon' (12)	'Skimmed-milk powder enriched with vitamins A and D / Gift of the European Economic Community / For free distribution in Kenya / WCC / 5719 / Mombasa' (13)
9. Delivery period	Delivery as soon as possible and at the latest 31 January 1981		
10. Stage and place of delivery	Community port of loading operating a regular service with the recipient country		
11. Representative of the beneficiary responsible for reception (4)	CEBEMO, Transport Group, Van Alkemadelaan 1, NL-2597 AA Den Haag (telex: 34278 CEMEC NL, tel. 24 45 94) (9)		
12. Procedure to be applied to determine the costs of supply	Mutual agreement		
13. Expiry of the time limit for submission of tenders	—		

Consignment	V
1. Application of Council Regulations:	
(a) legal basis	(EEC) No 937/79 (1979 programme)
(b) affectation	(EEC) No 938/79 (general reserve)
2. Beneficiary	Peru
3. Country of destination	
4. Total quantity of the consignment	500 tonnes
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12
6. Origin of the skimmed-milk powder (2)	Bought on the Community market
7. Special characteristics and/or packaging (3)	Vitamin A content: 5 000 IU per 100 g minimum Vitamin D content: 500 IU per 100 g minimum Date of manufacture clearly indicated on the bags
8. Markings on the packaging	'Leche en polvo con vitaminas A y D / Donación de la Comunidad económica europea a Peru / Para distribución gratuita'
9. Delivery period	Loading in February 1981
10. Stage and place of delivery	Port of unloading Callao (deposited on quay or lighters)
11. Representative of the beneficiary responsible for reception (4)	Oficina Nacional de Apoyo Alimentario, Natalio Sanchez, 220 Piso 14, Lima, Peru (tel. 24 64 93)
12. Procedure to be applied to determine the costs of supply	Tender
13. Expiry of the time limit for submission of tenders	12 noon on 12 January 1981

Notes

(1) This Annex, together with the notice published in Official Journal No C 95 of 19 April 1977, page 7, takes the place of an invitation to tender from the intervention agencies concerned in cases where, under point 12, there must be a tendering procedure.

(2) In cases where the goods come from intervention stocks, an additional notice stating the warehouses where the product is stored will be published in the 'C' edition of the *Official Journal of the European Communities.*

(3) Other than those set out in the Annex to Regulation (EEC) No 625/78; see Article 6 (2) of Regulation (EEC) No 303/77.

(4) Only in the case of delivery 'to the port of unloading' and 'free at destination'; see Article 5 and the last indent of Article 13 (1) of Regulation (EEC) No 303/77.

(5) Each offer may cover only a part quantity of 500 tonnes as specified in the complementary tender indicating the storage locations of the product published along with this Regulation in the 'C' edition of the *Official Journal of the European Communities.*

(6) Delivery shall be deemed to have taken place and the risks shall pass from the successful tenderer to the recipient at the moment when the products have actually been lifted across the rails of the vessel at the port of shipment designated for delivery.

(7) In cases where the total quantity of a lot is a multiple of 500 tonnes, the tender submitted may relate to a partial quantity of 500 tonnes or to a multiple of 500 tonnes; see Article 14 (2) of Regulation (EEC) No 303/77.

(8) The bill of lading must contain the following information:
NOTIFY ADDRESS:
(a) Consignee.
(b) M. Von Arnim,

c/o UNHCR,
palais des Nations,
CH-1211 Geneva 10
(telex 27492 HCR CH)

The successful tenderer should send two copies of the dispatch documents to:
M. Von Arnim,
c/o UNHCR,
palais des Nations,
CH-1211 Geneva 10.

(9) The successful tenderer shall send to the beneficiaries' agents, on delivery, a health certificate in respect of each part-quantity, made out in the language indicated by the beneficiaries.
The successful tenderer shall send to:
MM. M. H. Schutz BV,
Insurance Brokers,
Blaak 16,
NL-3011 TA Rotterdam,

on delivery, a copy of the commercial invoice in respect of each part-quantity.

(10) Inscription on the packing:
'Skimmed-milk powder enriched with vitamins A and D / Gift of the European Economic Community / For free distribution in India/SBL/followed by:
— for 10 tonnes: 50908 / Calcutta'
— for 5 tonnes: 50909 / Cochin'
— for 20 tonnes: 50910 / Calcutta'
— for 10 tonnes: 50911 / Calcutta'.

(11) The successful tenderer shall send the beneficiaries' agent, on delivery, a certificate of quality made out in English.

(12) The successful tenderer shall send the beneficiaries' agent, on delivery, a certificate of quality made out in Portuguese.

(13) The successful tenderer must deliver the product on pallets, the dimensions of which will be communicated to him direct by the representative of the beneficiaries — 40 bags per pallet secured by plastic band, covered with plastic film.