COMMISSION REGULATION (EEC) No 2490/88

of 8 August 1988

on the supply of common wheat to the Republic of Niger 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 3972/86 of 22 December 1986 on food-aid policy and food-aid management (1) as last amended by Regulation (EEC) No 1870/88 (2), and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management (3) lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, by its Decision of 27 April 1988 on the supply of food-aid to the Republic of Niger the Commission allocated to the latter country 10 000 tonnes of cereals;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food-aid (4); whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the award of a contract for the supply of common wheat to the Republic of Niger in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annex hereto.

Article 2

This Regulation shall enter into force on the 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, 8 August 1988.

For the Commission
Frans ANDRIESSEN
Vice-President

(1) OJ No L 370, 30. 12. 1986, p. 1.
(2) OJ No L 168, 1. 7. 1988, p. 7.
(3) OJ No L 136, 26. 5. 1987, p. 1.
(4) OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation No** (1): 783/88 to 787/88
2. **Programme**: 1987: 5 000 tonnes; 1988: 5 000 tonnes
3. **Recipient**: Ministre du Plan, Ordonnateur National de la République du Niger, Niamey
4. **Representative of the recipient** (2): Ambassade du Niger, Av. Franklin Roosevelt 78, B-1050 Bruxelles, Tel.: 648 61 40
5. **Place or country of destination**: Republic of Niger
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** (3):
   See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II.A.1)
8. **Total quantity**: 10 000 tonnes
9. **Number of lots**: 5 (A: 2 000 tonnes; B: 2 000 tonnes; C: 2 000 tonnes; D: 2 000 tonnes; E: 2 000 tonnes)
10. **Packaging and marking** (4):
    See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II.B.e):
    marking on the bags, in letters at least 5 cm high:
    A: 'ACTION N° 783/88'
    B: 'ACTION N° 784/88'
    C: 'ACTION N° 785/88'
    D: 'ACTION N° 786/88'
    E: 'ACTION N° 787/88'
    } and '/ DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**:
    Moulins du Sahel, boîte postale 12170, Niamey, tel. 73 35 84, telex 5347 NI
    Lieu de fourniture: Zone Industrielle entre la route de l'aéroport et la route de Kollon (derrière SOGANI)
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: A: 1 to 15 September 1988; B: 1 to 15 October 1988; C: 1 to 15 November 1988; D: 1 to 15 December 1988; E: 1 to 15 January 1989
18. **Deadline for the supply**: A: 15 October 1988; B: 15 November 1988; C: 15 December 1988; D: 15 January 1989; E: 15 February 1989
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 23 August 1988 at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 6 September 1988 at 12 noon
    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: A: 15 to 30 September 1988; B: 15 to 30 October 1988; C: 15 to 30 November 1988; D: 15 to 30 December 1988; E: 15 to 30 January 1989
    (c) deadline for the supply: A: 30 October 1988; B: 30 November 1988; C: 30 December 1988; D: 30 January 1989; E: 28 February 1989
22. **Amount of the tendering security**: 5 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders** (5):
    Bureau de l'aide alimentaire,
    à l'attention de Monsieur N. Arend,
    bâtiment Loi 120, bureau 7/58,
    200, rue de la Loi,
    B-1049 Brussels
    Telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (6):
    Refund applicable on 10 July 1988 fixed by Regulation (EEC) No 1877/88 in *Official Journal of the European Communities* No L 168 of 1 July 1988, page 30

Notes :

(1) The operation number is to be quoted in all correspondence.

(2) Commission delegate to be contacted by the successful tenderer :

M. David, boîte postale 10388, Niamey (Niger). Telex : DELEGFED 5267 NI (NIGER), Tel. : 73 23 60.

(3) The successful tenderer shall supply to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The radioactivity certificate must indicate the caesium-134 and -137 level.

(4) Since the goods may be rebagged, the successful tenderer must provide 2% of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

(5) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :

— either by porter at the Office referred to in point 24 of this Annex,

— or by telecopier on one of the following numbers in Brussels :

235 01 32
236 10 97
235 01 30
236 20 05

(6) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.