COMMISSION REGULATION (EEC) No 3112/88

of 10 October 1988

on the supply of various consignments of cereals 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 following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 3 749 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

Cereals shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

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, 10 October 1988.

For the Commission
Frans ANDRIESSEN
Vice-President

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[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 I

1. **Operation Nos** (1): 546 to 558, 604 to 608, 924 and 925/88
2. **Programme**: 1988
3. **Recipient**: Euronaid, Rhijngeeseterstaatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (2): see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: Haiti, Lebanon, Colombia, Peru, Rwanda, Uganda, Ivory Coast, Tanzania, Malawi, Ecuador, Central African Republic, Madagascar
6. **Product to be mobilized**: rolled oats
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.9)
8. **Total quantity**: 2 125 tonnes (3 663 tonnes of cereals)
9. **Number of lots**: eight

   A. 108 tonnes (in 2 parts: I: 36 tonnes; II: 72 tonnes)
   B: 100 tonnes
   C: 100 tonnes
   D: 100 tonnes
   E: 96 tonnes (3 parts: I: 36 tonnes; II: 12 tonnes; III: 48 tonnes)
   F: 108 tonnes (4 parts: I: 12 tonnes; II: 12 tonnes; III: 12 tonnes; IV: 72 tonnes)
   G: 108 tonnes (3 parts: I: 12 tonnes; II: 84 tonnes; III: 12 tonnes)
   H: 1 405 tonnes (5 parts: I: 150 tonnes; II: 60 tonnes; III: 420 tonnes; IV: 475 tonnes; V: 300 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.3) (in 20-foot containers 'FCL/LCL shipper's countload and stowage') (7)

    marking on the bags in letters at least 5 cm high:

    — A: I: 'ACCIÓN N° 546/88 / COPOS DE AVENA / PERÚ DKW / 82327 / LIMA VIA CALLAO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA'

    II: 'ACTION N° 547/88 / FLOCONS D'AVOINE / HAÏTI / CARITAS BELGICA / 80234 / PORT-AU-PRINCE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'

    — B: 'ACTION N° 548/88 / FLOCONS D'AVOINE / HAÏTI / PROTOS / 81504 / PORT-AU-PRINCE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'

    — C: 'ACTION N° 924/88 / FLOCONS D'AVOINE / HAÏTI / PROTOS / 81504A / PORT-AU-PRINCE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'

    — D: 'ACTION N° 925/88 / FLOCONS D'AVOINE / HAÏTI / PROTOS / 81504B / PORT-AU-RINCE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'

    — E: I: 'ACTION No 549/88 / ROLLED OATS / LEBANON / WCC / 80720 / BEIRUT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / FOR FREE DISTRIBUTION'

    II: 'ACTION N° 550/88 / FLOCONS D'AVOINE / CÔTE-D'IVOIRE / AATM / 81708 / ABIDJAN / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'

    III: 'ACTION N° 551/88 / FLOCONS D'AVOINE / RÉPUBLIQUE CENTRAFRICAINE / AATM / 81707 / BANGUI VIA DOUALA / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'

    — F: I: 'ACTION N° 552/88 / FLOCONS D'AVOINE / MADAGASCAR / AATM / 81709 / FIANARANTSOA VIA TOAMASINA / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'

    II: 'ACTION N° 553/88 / FLOCONS D'AVOINE / MADAGASCAR / AATM / 81710 / TOAMASINA / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'

    III: 'ACTION N° 554/88 / FLOCONS D'AVOINE / MADAGASCAR / AATM / 81711 / TOLIARY / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'

    IV: 'ACTION N° 555/88 / FLOCONS D'AVOINE / RWANDA / CARITAS BELGICA / 80235 / KIGALI VIA MOMBASA / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'

— G: I: 'ACTION No 556/88 / ROLLED OATS / UGANDA / DKW / 82329 / SOROTI VIA MOMBASA / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / FOR FREE DISTRIBUTION'

II: 'ACTION No 557/88 / ROLLED OATS / MALAWI / CARITAS ITALIANA / 80608 / LILONGWE VIA DAR ES SALAAM / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / FOR FREE DISTRIBUTION'

III: 'ACTION No 558/88 / ROLLED OATS / TANZANIA / DKW / 82328 / KIGOMA VIA DAR ES SALAAM / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / FOR FREE DISTRIBUTION'

— H: I: 'ACCIÓN Nº 604/88 / COPOS DE AVENA / COLOMBIA / CARITAS NEERLANDICA / 80318 / BOGOTÁ VÍA SANTA MARÍA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA'

II: 'ACCIÓN Nº 605/88 / COPOS DE AVENA / ECUADOR / CARITAS NEERLANDICA / 80320 / GUAYAQUIL / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA'

III: 'ACCIÓN Nº 606/88 / COPOS DE AVENA / PERÚ / CARITAS NEERLANDICA / 80323 / AYACUCHO VÍA CALLAO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA'

IV: 'ACTION Nº 607/88 / FLOCONS D'AVOINE / HAÏTI / CARITAS NEERLANDICA / 80321 / PORT-AU-PRINCE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'

V: 'ACTION Nº 608/88 / FLOCONS D'AVOINE / HAÏTI / PROTOS / 81505 / PORT-AU-PRINCE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'

11. **Method of mobilization**: the Community market

12. **Stage of supply**: free at port of shipment

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**: —

17. **Period for making the goods available at the port of shipment**:

— A, B, C, D, E, F and G: 1 to 15 December 1988,

— H: 1 to 15 January

18. **Deadline for the supply**: —

19. **Procedure for determing the costs of supply**: tendering

20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 25 October 1988

21. **In the case of a second invitation to tender**:

(a) deadline for the submission of tenders: 8 November 1988 at 12 noon

(b) period for making the goods available at the port of shipment:

— A, B, C, D, E, F and G: 15 to 30 December 1988,

— H: 15 to 30 January 1989

(c) deadline for the supply: —

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 Bruxelles, telex: AGREC 22037 B

25. **Refund payable on request by the successful tenderer** (6):

Refund applicable on 10 September 1988 fixed by Regulation (EEC) No 2670/88 in *Official Journal of the European Communities* No L 239 of 30 August 1988, page 7

ANNEX II

1. **Operation No** (1): 250/88
2. **Programme**: 1988
3. **Recipient**: Euronaid, Rhijngeestersstratweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (2): see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: Nicaragua
6. **Product to be mobilized**: rolled oats
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. 9)
8. **Total quantity**: 50 tonnes (86 tonnes of cereals)
9. **Number of lots**: one
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. 3)

    — marking on the bags in letters at least 5 cm high:

    'ACCIÓN Nº 250/88 / COPOS DE AVENA / NICARGUA / CEBEMO / 89002 / CORINTO / DESTINADO A LA DISTRIBUCIÓN GRATUITA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
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**: —
17. **Period for making the goods available at the port of shipment**: 1 to 15 December 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 25 October 1988
21. **In the case of a second invitation to tender**:

    (a) deadline for the submission of tenders: 8 November 1988 at 12 noon

    (b) period for making the goods available at the port of shipment: 15 to 30 December 1988

    (c) deadline for the supply: —
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 September 1988 fixed by Commission Regulation (EEC) No 2670/88 in *Official Journal of the European Communities* No L 239 of 30 August 1988, p. 7.

Notes :

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

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

see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.

(3) The successful tenderer shall deliver 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 levels.

The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :

— phytosanitary certificate,

— certificate or origin.

The supplier should send a duplicate of the original invoice to : M. De Keyzer and Schütz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.

(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.

(7) Supply free-at-port-of-shipment, as provided for in Article 13 of Regulation (EEC) No 2200/87, implies that the following costs at the port of shipment shall be borne by the successful tenderer :

Should containers be used on an FCL/FCL or FCL/LCL basis, all costs to the use of such containers, with the exception of rental costs, up to the terminal stage, including THC (terminal handling charges).

Where, on the basis of the second subparagraph of point 2 of the aforementioned Article 13, the successful tenderer is responsible for loading the containers on board the vessel designated by the recipient, the refund of the costs within the meaning of the said provisions does not include the THC.

Should containers be used on an LCL/FCL or LCL/LCL basis, no costs ; the successful tenderer shall deliver the goods to the terminal at a stage where the stuffing of the containers can be immediately done at the recipient's expense.