COMMISSION REGULATION (EEC) No 3512/88

of 10 November 1988

on the supply various lots 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 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 allocation of food aid, the Commission has allocated to certain countries 900 tonnes of skimmed-milk powder;

Whereas it is necessary to provide for the carrying-out of this measures 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

Milk products shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annexes, 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 of 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 November 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

LOT A

1. **Operation No** (1): 938/88 — Commission Decision of 8 June 1988
2. **Programme**: 1988
3. **Recipient**: Honduras
4. **Representative of the recipient** (8): M. F. Figueroa, Ministro del Plan, Apdo Postal 1327, Comayagüela DC, Honduras, Telex 1222. Copy: M. Zapata, Ambassade du Honduras, 3, avenue des Gaulois, B-1040 Brussels, Tel.: 734 00 00)
5. **Place or country of destination**: Honduras
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (2) (5) (6) (7): see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 600 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (9): 25 kilograms; in containers (*Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4 and 6 (under I.1.B.4 and I.1.B.4.3))

    Supplementary markings on the packaging:

    'ACCIÓN Nº 938/88 / LECHE EN POLVO DESCREMADA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA A HONDURAS'

    and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market limited to the United Kingdom, Ireland and Denmark

    The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Puerto Cortés
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 12 to 27 December 1988
18. **Deadline for the supply**: 12. February 1989
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** (3): 28 November 1988 at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 December 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: 27 December 1988 to 12 January 1989
    (c) deadline for the supply: 26 February 1989
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:

    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** (4): refund applicable on 14 October 1988 fixed by Commission Regulation (EEC) No 3147/88 (OJ No L 281, 14. October 1988, p. 13)

LOT B

1. **Operation No** (1): 243/88 — Commission Decision of 15 October 1987
2. **Programme**: 1987
3. **Recipient**: Ecuador
4. **Representative of the recipient** (10): Ambassade de l'Équateur, 70, chaussée de Charleroi, B-1060 Bruxelles
5. **Place or country of destination**: Ecuador
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (2) (6): See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 300 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kilograms and see list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 and 6, I.1.B.4 and I.1.B.4.3.

    Supplementary markings on the packaging:

    'ACCIÓN Nº 243/88/DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / PARA DISTRIBUCIÓN GRATUITA'

    and see list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market

    The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the supply
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**: 12 to 27 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** (3): 28 November1988 at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 December 1988 at 12 noon
    (b) period for making the goods available at the port of shipment: 27 December 1988 to 12 January 1989
    (c) deadline for the supply: —
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:

    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** (4): Refund applicable on 14 October 1988 fixed by Commission Regulation (EEC) No 3147/88 (OJ No L 281, 14.10. 1988, p. 30)

Notes :

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

(2) At the request of the beneficiary the successful tenderer shall deliver 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.

(3) 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, prefereably :

— 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.

(4) 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.

(5) Veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.

(6) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.

(7) Analysis and quality certificate listing technical specifications of the product and issued by official entity in country of origin.

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

M. Ceriní, Bureau CEE à San José,
Apartado 836, Centro colón,
1007 San José, Costa Rica,
Tel. 33 27 55,
Telex 3482 CEE AC Cr.

(9) Should containers be used at the stage of delivery free at port of shipment, on FCL/FCL or FCL/LCL basis, the supplier will bear all costs pertaining to the use of such containers up to the terminal stage, including THC (terminal handling charges). However, the supplier shall not bear any rental cost.

Where, pursuant to Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87, the supplier is responsible for loading the containers on board of the vessel designated by the recipient, the Commission will refund the corresponding costs, excluding terminal handling charges.

Should containers be used on LCL/FCL or LCL/LCL basis, the supplier must deliver the goods to the terminal, at a stage where the stuffing of the containers can be done immediately at the recipient's costs. The supplier shall not bear any cost pertaining tot the use of the containers.

(10) Commission delegate to be contacted by the sucessful tenderer : Delegacion de la comision en Caracas
Avenida Orinoco,
Las Mercedes, Apartado 67076,
Las Americas 1061 Caracas,
Venezuela,
Telex 27298 COMEU VC.