COMMISSION REGULATION (EEC) No 3152/89

of 20 October 1989

on the supply of common wheat to the Republic of Zaire 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 1750/89 (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 14 July 1989 on the supply of food aid to Zaire, the Commission allocated to the that country 15 000 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 Zaire 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, 20 October 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

(1) OJ No L 370, 30. 12. 1986, p. 1.
(2) OJ No L 172, 21. 6. 1989, p. 1.
(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): 571 to 573/89

2. **Programme**: 1989

3. **Recipient**: Republic of Zaire

4. **Representative of the recipient** (2): Midema Sàrl, boîte postale 11497, Kinshasa I, telex 21339 MIDEMA ZR

5. **Place or country of destination**: Zaire

6. **Product to be mobilized**: common wheat

7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216 of 14 August 1987, page 3 (under II.A.1)

   Specific characteristics: moisture content: 13,5 % maximum; Hagberg falling number of at least 225; Zeleny index of at least 20

8. **Total quantity**: 15 000 tonnes

9. **Number of lots**: three (A: 5 000 tonnes; B: 5 000 tonnes; C: 5 000 tonnes)

10. **Packaging and marking**: in bulk

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

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**: Matadi

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**: A: 25. 11 — 10. 12. 1989; B: 20. 12. 1989 — 5. 1. 1990; C: 10. 1 — 25. 1. 1990

18. **Deadline for the supply**: A: 15. 1. 1990; B: 15. 2. 1990; C: 15. 3. 1990

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

20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 7. 11. 1989

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

   (a) deadline for the submission of tenders: 12 noon on 21. 11. 1989

   (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: A: 10. 12 — 25. 12. 1989; B: 5. 1 — 20. 1. 1990; C: 30. 1 — 15. 2. 1990

   (c) deadline for the supply: A: 1. 2. 1990; B: 1. 3. 1990; C: 1. 4. 1990

22. **Amount of the tendering security**: ECU 5 per tonne

23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus

24. **Address for submission of tenders** (4): 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 22037 AGREC B

25. **Refund payable on request by the successful tenderer** (5): refund applicable on 1. 10. 1989 fixed by Regulation (EEC) No 2936/89 in OJ No L 281 of 30. 9. 1989, page 37

Notes:

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

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

M. P. Towers Picton, Delegation of the Commission of the European Communities, 71, avenue des Trois Z, boîte postale 2000, Kinshasa.

(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 level.

(4) 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

(5) 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.