COMMISSION REGULATION (EEC) No 2708/90

of 19 September 1990

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 1930/90 (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 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

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 Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

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, 19 September 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 370, 30. 12. 1986, p. 1.
(2) OJ No L 174, 7. 7. 1990, p. 6.
(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): 801/90
2. **Programme**: 1990
3. **Recipient**: Madagascar (Régie malgache des monopoles fiscaux (RMMF), 21, avenue de l'Indépendance, B.P. 23, Antananarivo 101
4. **Representative of the recipient** (2): Ambassade de la république démocratique de Madagascar, avenue de Tervuren 276, B-1150 tel. 770 17 26 Brussels; telex 61197 TELMAD B
5. **Place or country of destination**: Madagascar
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** (3): see OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1); specific characteristics: moisture content: 13,5 % maximum
8. **Total quantity**: 10 000 tonnes
9. **Number of lots**: one
10. **Packaging**: in bulk, plus
    — 210 000 new woven-popypropylene bags for food use, weighing not less than 120 grams, which have been specially treated against the effects of ultraviolet light, 125 needles and sufficient twine
    — marking on the bags, in letters at least 5 cm high:
    'ACTION N° 801/90 / FROMENT TENDRE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À MADAGASCAR'
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**: Toamasina
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 where the supply is awarded at the port of shipment stage**: 1 — 15. 11. 1990
18. **Deadline for the supply**: 15. 12. 1990
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 9. 10. 1990 at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 16. 10. 1990 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: 5 — 20. 11. 1990
    (c) deadline for the supply: 24. 12. 1990
22. **Amount of the tendering security**: 5 ECU 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 Brussels; telex: AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (5): refund applicable on 24. 9. 1990 fixed by Regulation (EEC) No 2518/90 (OJ No L 237, 1. 9. 1990, p. 35)

Notes :

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

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

M.D.W. Schmidt, Immeuble Ny Havana — 67 hectares B.P. 746, Antananarivo Tél. (261-2) 24216/27527 ; dx 22327 DELFED-MG, Fax (261-2) 32169

(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.

(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,

235 0132,
236 10 97,
235 01 30,
236 20 05.

(5) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), 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.