COMMISSION REGULATION (EEC) No 3079/90
of 24 October 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 345,4 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, 24 October 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

LOTS A and B

1. **Operation Nos** [1]: 715/90 and 900/89
2. **Programme**: 1989
3. **Recipient**: Ligue des Sociétés de la Croix-Rouge et du Croissant-Rouge, Service Logistique, Case Postale 372, CH-1211, Genève 19; telex 22555 LRCS CH, tel. 34 55 80
4. **Representative of the recipient** [2] [8]:
   — A: Croix Rouge Rwandaise, BP 425, Kigali; tel.: 3302 / 4402 / 5088, telex 22663 CRR RW
   — B: Cruz Roja Boliviana, Ave. Simón Bolivar nº 1515, La Paz; tel. 34 09 48 / 32 65 68, telex 3318 BOLCRUZ
5. **Place or country of destination**: A: Rwanda; B: Bolivia
6. **Product to be mobilized**: rolled oats
7. **Characteristics and quality of the goods** [3]: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.9)
8. **Total quantity**: 200 tonnes (345,4 tonnes of cereals)
9. **Number of lots**: two (A: 100 tonnes; B: 100 tonnes)
10. **Packaging and marking** [4] [7]: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.3)
    — A: 'ACTION Nº 715/90 / a red cross / FLOCONS D'AVOINE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE LA LIGUE DES SOCIÉTÉS DE LA CROIX-ROUGE (LICROSS) / POUR DISTRIBUTION GRATUITE / NYAMIRAMBO / RWANDA'
    — B: 'ACCIÓN Nº 900/89 / a red cross / COPOS DE AVENA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / ACCIÓN DE LA LIGA DE LAS SOCIEDADES DE LA CRUZ ROJA Y DE LA MEDIA LUNA ROJA (LICROSS) / DISTRIBUCIÓN GRATUITA / LA PAZ'
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**:
    — A: Entrepôt de la Croix Rouge, Nyamirambo
    — B: Almacenes de la Crúz Roja, Calle Cuba nº 1155, La Paz
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. 12. 1990
18. **Deadline for the supply**: 15. 1. 1991
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 13. 11. 1990
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon on 27. 11. 1990
    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 — 30. 12. 1990
    (c) deadline for the supply: 30. 1. 1991
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** [5]: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, rue de la Loi 200, B-1040 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** [6]: refund applicable on 30. 10. 1990 fixed by Commission Regulation (EEC) No 2807/88 (OJ No L 268, 29. 9. 1990, p. 21)

Notes :

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

(2) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 227, 7. 9. 1985, p. 4.

(3) The successful tenderer shall deliver to the beneficiaries 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 :

— certificate of origin,
— phytosanitary certificate (lot B),
— fumigation certificate (lot B).

(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, tenders 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 proter 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,
  — 235 20 05.

(6) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) 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 the Annex.

(7) Shipment is to take place in 20-foot containers ; conditions FCL/LCL shipper's-count-load and stowage (cls).

(8) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.