COMMISSION REGULATION (EEC) No 362/90

of 12 February 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 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, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 4 131 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 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 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, 12 February 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 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 I

LOT A

1. **Operation Nos** (1): 795 to 807/89
2. **Programme**: 1989
3. **Recipient**: Euronaid, Rhijngeesterstraatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
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**: 852 tonnes (1 469 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** (5) (6) (7) (9) (10) (11): see OJ No C 216, 14. 8. 1987, p. 3 (under II.B.3)
    Marking on the bags in letters at least 5 cm high:
    see Annex II
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**: 15 — 31. 3. 1990
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**: 27. 2. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 13. 3. 1990, at 12 noon
    (b) period for making the goods available at the port of shipment: 1 — 15. 4. 1990
    (c) deadline for the supply: —
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 AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (8): refund applicable on 20. 2. 1990, fixed by Commission Regulation (EEC) No 225/90 (OJ No L 22, 26. 1. 1990, p. 66)

LOT B

1. **Operation Nos** (1): 808 to 810/89
2. **Programme**: 1989
3. **Recipient**: Euronaid, Rhijngeesterstraatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
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**: 96 tonnes (166 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** (5) (6) (7) (9) (11): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.3)

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

    see Annex II
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**: 15 — 31. 3. 1990
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**: 27. 2. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 13. 3. 1990, at 12 noon
    (b) period for making the goods available at the port of shipment: 1 — 15. 4. 1990
    (c) deadline for the supply: —
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 AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (8): refund applicable on 20. 2. 1990, fixed by Commission Regulation (EEC) No 225/90 (OJ No L 22, 26. 1. 1990, p. 66)

LOT C

1. **Operation Nos** (1): 811 to 815/89
2. **Programme**: 1989
3. **Recipient**: Euronaid, Rhijngeesterstraatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.6)
8. **Total quantity**: 206 tonnes (282 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** (5) (6) (7) (9) (10) (11): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.2 (a))

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

    see Annex II
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**: 15 — 31. 3. 1990
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**: 27. 2. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 13. 3. 1990, at 12 noon
    (b) period for making the goods available at the port of shipment: 1 — 15. 4. 1990
    (c) deadline for the supply: —
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: AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (8): refund applicable on 20. 2. 1990, fixed by Commission Regulation (EEC) No 225/90 (OJ No L 22, 26. 1. 1990, p. 66)

LOT D

1. **Operation Nos** (1): 816 and 817/89
2. **Programme**: 1989
3. **Recipient**: Euronaid, Rhijngeesterstraatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Chile (170 tonnes), Nicaragua (1 300 tonnes)
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.6)
8. **Total quantity**: 1 470 tonnes (2 014 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** (5) (6) (7) (9) (11): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.2 (a))

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

    'ACCIÓN Nº 816/89 / HARINA DE TRIGO / CHILE / AATM / 91735 / COYAHIQUE VIA CHACABUCO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA'

    'ACCIÓN Nº 817/89 / HARINA DE TRIGO / NICARAGUA / SOSO / 93907 / MANAGUA VIA CORINTO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA'
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**: 15 — 31. 3. 1990
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**: 27. 2. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 13. 3. 1990, at 12 noon
    (b) period for making the goods available at the port of shipment: 1 — 15. 4. 1990
    (c) deadline for the supply: —
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: AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (8): refund applicable on 20. 2. 1990, fixed by Commission Regulation (EEC) No 225/90 (OJ No L 22, 26. 1. 1990, p. 66)

LOT E

1. **Operation Nos** (1): 818 and 819/89
2. **Programme**: 1989
3. **Recipient**: Euronaid, Rhijngeesterstraatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Guinea-Bissau (100 tonnes), Togo (100 tonnes)
6. **Product to be mobilized**: sorghum
7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.5)
8. **Total quantity**: 200 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (5) (6) (7) (9) (10) (11): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1. (c))

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

    'ACÇÃO Nº 818/89 / SORGO / 90645 / BISSAU / DONATIVO DA COMUNIDADE ECONOMICA EUROPEIA / DESTINADO A DISTRIBUIÇÃO GRATUITA'

    'ACTION Nº 819/89 / SORGO / 91736 / LOME / 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**: 15 — 31. 3. 1990
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**: 27. 2. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 13. 3. 1990, at 12 noon
    (b) period for making the goods available at the port of shipment: 1 — 15. 4. 1990
    (c) deadline for the supply: —
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 AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (8): refund applicable on 20. 2. 1990, fixed by Commission Regulation (EEC) No 225/90 (OJ No L 22, 26. 1. 1990, p. 66)

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, 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.

(4) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the 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 the 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) The successful tenderer shall give the beneficiaries' representatives a health certificate at the time of delivery.

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

(7) 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.

(8) 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, 24. 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 the Annex.

(9) 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'.

(10) The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying the number of bags belonging to each shipping number as specified in the invitation to tender.

The successful tenderer has to seal each container with a numbered locktainer, the number of which is to be provided to the beneficiary's forwarder.

Shipment to take place in 20-foot containers (Operation Nos 797 to 799/89 : in 40-foot containers), conditions FCL/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The provision of the second subparagraph of Article 13 (2) of Regulation (EEC) No 2200/87 shall not apply.

(11) The supplier should send a duplicate of the original invoice to :

MM De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
A	852	144	Caritas Spain	Ecuador	Acción nº 795/89 / Copos de avena / 96003 / Quito vía Guayaquil / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		144	Caritas N	Perú	Acción nº 796/89 / Copos de avena / 90330 / Ayacucho vía Gallao / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		36	Caritas B	Haïti	Action nº 797/89 / Flocons d'avoine / 90283 / Port-au-Prince / Don de la Communauté économique européenne / Pour distribution gratuite
		144	Caritas N	Haïti	Action nº 798/89 / Flocons d'avoine / 90311 / Port-au-Prince / Don de la Communauté économique européenne / Pour distribution gratuite
		132	Caritas N	República Dominicana	Acción nº 799/89 / Copos de avena / 90331 / Santo Domingo / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		12	AATM	Côte-d'Ivoire	Action nº 800/89 / Flocons d'avoine / 91742 / Abidjan / Don de la Communauté économique européenne / Pour distribution gratuite
		12	AATM	Sénégal	Action nº 801/89 / Flocons d'avoine / 91738 / Bambey *via* Dakar / Don de la Communauté économique européenne / Pour distribution gratuite
		60	AATM	Togo	Action nº 802/89 / Flocons d'avoine / 91737 / Lomé / Don de la Communauté économique européenne / Pour distribution gratuite
		48	AATM	République centraficaine	Action nº 803/89 / Flocons d'avoine / 91743 / Bangui *via* Douala / Don de la Communauté économique européenne / Pour distribution gratuite
		12	AATM	Madagascar	Action nº 804/89 / Flocons d'avoine / 91739 / Fianarantsoa *via* Toamasina / Don de la Communauté économique européenne / Pour distribution gratuite

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
		12	AATM	Madagascar	Action n° 805/89 / Flocons d'avoine / 91740 / Toamasina / Don de la Communauté économique européenne / Pour distribution gratuite
		12	Caritas I	Somalia	Action No 806/89 / Rolled oats / 90639 / Mogadishu / Gift of the European Economic Community / For free distribution
		84	Caritas I	Malawi	Action No 807/89 / Rolled oats / 90657 / Lilongwe via Dar es Salaam / Gift of the European Economic Community / For free distribution
B	96	24	CAM	Guatemala	Acción n° 808/89 / Copos de avena / 92041 / Guatemala ciudad vía Santo Tomás de Castilla / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		60	CAM	Guatemala	Acción n° 809/89 / Copos de avena / 92042 / San Pedro de García vía Santo Tomás de Castilla / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		12	AATM	Madagascar	Action n° 810/89 / Flocons d'avoine / 91741 / Toliara / Don de la Communauté économique européenne / Pour distribution gratuite
C	206	20	Caritas B	Bolivia	Acción n° 811/89 / Harina de trigo / 90291 / Potosí vía Antofagasta / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		95	Caritas B	Zaïre	Action n° 812/89 / Farine de froment / 90274 / Kinshasa *via* Matadi / Don de la Communauté économique européenne / Pour distribution gratuite
		37	Caritas B	Zaïre	Action n° 813/89 / Farine de froment / 90277 / Kananga *via* Matadi / Don de la Communauté économique européenne / Pour distribution gratuite
		18	Caritas B	Zaïre	Action n° 814/89 / Farine de froment / 90276 / Bukavu *via* Dar es-Salaam / Don de la Communauté économique européenne / Pour distribution gratuite
		36	Caritas B	Zaïre	Action n° 815/89 / Farine de froment / 90294 / Bukavu *via* Dar es-Salaam / Don de la Communauté économique européenne / Pour distribution gratuite