COMMISSION REGULATION (EEC) No 545/90

of 2 March 1990

on the supply of 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 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 the People's Republic of China 6 636 of skimmed-milk powder;

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

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 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, 2 March 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

LOTS A, B, C, D, E, F, G, H, I, K, and L

1. **Operation Nos** (1): 114 to 124/90 — Protocol of 1. 3. 1988
2. **Programme**: 1989
3. **Recipient**: People's Republic of China
4. **Representative of the recipient** (3): Ministry of Agriculture, CPIG Dairy Development Project Office, 11 Nong Zhan Guan, Nanli Beijing CN, People's Republic of China (telex 22233 MAGR CN)
5. **Place or country of destination**: People's Republic of China
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods** (2) (6): see OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.1 and I.1.A.2)
8. **Total quantity**: 6 636 tonnes
9. **Number of lots**: 11 (see Annex II)
10. **Packaging and marking**: 25 kilograms (7) (8) and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.3)
    Supplementary marking on packaging: see Annex II and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.4)
11. **Method of mobilization**: the Community market
    The manufacture of the skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient** (9): Lots A and B: Huangpu (Guangzhou); Lots C and D: Mawei (Fuzhou); Lots E, F and G: Shanghai; Lots H and I: Xingang (Tianjin); Lots K and L: Dalian
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: see Annex II
17. **Period for making the goods available at the port of shipment, where the supply is awarded at the port of shipment stage**:
    — Lots A, B, C, and D: 23. 4 — 4. 5. 1990;
    — Lots E, F, G, H and I: 1 — 11. 5. 1990;
    — Lots K and L: 7 — 18. 5. 1990
18. **Deadline for the supply**:
    — Lots A, B, C, and D: 8. 6. 1990
    — Lots E, F, and G: 15. 6. 1990
    — Lots H and I: 22. 6. 1990
    — Lots K and L: 29. 6. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (4): 19. 3. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 2. 4. 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:
        — Lots A, B, C, and D: 7 — 18. 5. 1990;
        — Lots E, F, G, H and I: 15 — 25. 5. 1990;
        — Lots K and L: 21. 5 — 1. 6. 1990
    (c) deadline for the supply:
        — Lots A, B, C, and D: 22. 6. 1990
        — Lots E, F, and G: 29. 6. 1990
        — Lots H and I: 6. 7. 1990
        — Lots K and L: 13. 7. 1990

22. **Amount of the tendering security**: ECU 20 per tonne

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

24. **Address for submission of tenders**:

Bureau de l'aide alimentaire,
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** (5): refund applicable on 26. 1. 1990, fixed by Commission Regulation (EEC) No 176/90 (OJ No L 21, 26. 1. 1990, p. 8)

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) Commission delegate to be contacted by the successful tenderer: EEC Delegation, Ta Yuan Diplomatic Offices Building, Apartment No 2-6-1, Liang Ma He Nan Lu 14, Beijing (tel. 532 44 43; telex 222690 ECDEL CN; telefax 532 43 42).

(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:

— 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) 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 this Annex.

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

(7) The bags must be placed in 20-foot containers.

The free holding period for containers must be at least 15 days.

(8) New, dry and intact packaging of a net content of 25 kilograms made up as follows: (combination of requirements in I (b) and (c) of Annex II to Commission Regulation (EEC) No 625/78 (OJ No L 84, 31. 3. 1978, p. 19)):

— one kraft paper bag of a strength of at least 70 g/m²,
— one kraft paper bag with a polyethylene lining, of a strength of at least 80 + 15 g/m²,
— three kraft bags of a strength of at least 70 g/m²,
— one polythylene inner bag at least 0,12 mm thick, welded or double bond.

(9) The successful tenderer must nominate a representative at the port of landing. He must so inform the undertaking responsible for checks referred to in Article 10 of Regulation (EEC) No 2200/87 and the China National Import and Export Inspection Corporation (CCIC), cable CHINSPECT, telex 210076 SACI CN.

CCIC may be designated as representative by the successful tenderer.

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)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtager-land Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Acción nº Aktion nr. Maßnahme Nr. Δράση αριθ. Operation No Action nº Azione n. Maatregel nr. Acção nº	Dirección del almacén Adresse på lageret Anschrift des Lagers Διεύθυνση της αποθήκης Address of the warehouse Adresse du magasin Indirizzo del magazzino Adres van de opslagplaats Endereço do armazém	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	900	People's Republic of China	China	114/90	Number 2 Dairy Plant, Panionggang, Shahe	Operation No 114/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
B	225	People's Republic of China	China	115/90	Number 2 Dairy Plant, Panionggang, Shahe	Operation No 115/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
C	562	People's Republic of China	China	116/90	Kangle Dairy Plant, Wuliting Fuma Road	Operation No 116/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
D	450	People's Republic of China	China	117/90	Kangle Dairy Plant, Wuliting Fuma Road	Operation No 117/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
E	900	People's Republic of China	China	118/90	The Warehouse of the Dairy Development Project No 780 Beizhai Road, Beixinjing	Operation No 118/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
F	562	People's Republic of China	China	119/90	The Warehouse of the Dairy Development Project, No 780 Beizhai Road, Beixinjing	Operation No 119/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
G	450	People's Republic of China	China	120/90	The Warehouse of the Dairy Development Project, No 780 Beizhai Road, Beixinjing	Operation No 120/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
H	900	People's Republic of China	China	121/90	Refrigeration Plant, Dairy Company-xing-fudao Jiaokou, Hong-xing Road, Hebei District	Operation No 121/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination

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)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Acción nº Aktion nr. Maßnahme Nr. Δράση αριθ. Operation No Action nº Azione n. Maatregel nr. Acção nº	Dirección del almacén Adresse på lageret Anschrift des Lagers Διεύθυνση της αποθήκης Address of the warehouse Adresse du magasin Indirizzo del magazzino Adres van de opslagplaats Endereço do armazém	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
I	562	People's Republic of China	China	122/90	Refrigeration Plant, Dairy Company-xing-fudao Jiaokou, Hongxing Road, Hebei District	Operation No 122/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
K	900	People's Republic of China	China	123/90	The Warehouse of the Dairy Development Project, No 141 Dongbei Road, Xigang	Operation No 123/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
L	225	People's Republic of China	China	124/90	The Warehouse of the Dairy Development Project, No 141 Dongbei Road, Xigang	Operation No 124/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination