COMMISSION REGULATION (EEC) No 546/90

of 2 March 1990

on the supply of various lots of butteroil 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 2 273 tonnes of butteroil;

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

LOT A

1. **Operation Nos** 100 to 103/90 (1) — Commission Decision of 3. 3. 1989
2. **Programme** : 1989
3. **Recipient** : Euronaid, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (3) : see OJ No C 103, 16. 4. 1987
5. **Place or country of destination** : see Annex II
6. **Product to be mobilized** : butteroil
7. **Characteristics and quality of the goods** (2) (6) (7) : see OJ No C 216, 14. 8. 1987, p. 7 (under I.3.1 and I.3.2)
8. **Total quantity** : 60 tonnes
9. **Number of lots** : one
10. **Packaging and marking** : 5 kg (8) (9) and OJ No C 216, 14. 8. 1987, p. 7 (under I.3.3)

    Supplementary markings on the packaging : see Annex II and OJ No C 216, 14. 8. 1987, p. 8 (under I.3.4)
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** : 1 — 15. 4. 1990
18. **Deadline for the supply** :
19. **Procedure for determining the costs of supply** : invitation to tender
20. **In the case of invitation to tender, date of expiry of the period allowed for submission of tenders** (4) : 19 March 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 : 15 — 29. 4. 1990 ;

    (c) deadline for the supply : —
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,
    A 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 application by the successful tenderer** (5) : refund applicable on 22. 2. 1990, fixed by Commission Regulation (EEC) No 442/90 (OJ No L 46, 22. 2. 1990, p. 17)

LOTS B, C, D, E, and F

1. **Operation No** (1): 125 to 129/90 — Commission Decision of 1. 3. 1988

2. **Programme**: 1989

3. **Recipient**: People's Republic of China

4. **Representative of the recipient** (10) (11): 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**: butteroil

7. **Characteristics and quality of the goods** (2) (7): see OJ No C 216, 14. 8. 1987, p. 7 (under I.3.1 and I.3.2)

8. **Total quantity**: 2 213 tonnes

9. **Number of lots**: five (Lot B : 375 tonnes ; Lot C : 338 tonnes ; Lot D : 637 tonnes ; Lot E : 488 tonnes ; Lot F : 375 tonnes)

10. **Packaging and marking**: 200 kilograms (12) (13) and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.3.3)

    Supplementary marking on packaging:

    'ACTION No ... + EEC DAIRY DEVELOPMENT FROJECT / 1990 UTILIZATION PROGRAMME / 14 CITIES / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / FOR RECOMBINATION'

    and OJ no C 216, 14. 8. 1987, p. 8 (under I.3.4)

11. **Method of mobilization**: the 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**: see note (14)

17. **Period for making the goods available at the port of shipment, where the supply is awarded at the port of shipment stage**:

    — Lot B — 125/90
    — Lot C — 126/90
    — Lot D — 127/90
    } 1 — 11. 5. 1990

    — Lot E — 128/90
    — Lot F — 129/90
    } 7 — 18. 5. 1990

18. **Deadline for the supply**:

    — Lots B and C: 15. 6. 1990
    — Lot D: 22. 6. 1990
    — Lots E and F 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 B, C, and D: 15 — 26. 5. 1990
    — Lots E and F: 21 — 31. 5. 1990

    c) deadline for the supply:

    — Lots B and C: 29. 6. 1990
    — Lot D: 7. 7. 1990
    — Lots E and F: 14. 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 22. 2. 1990, fixed by Commission Regulation (EEC) No 442/90 (OJ No L 46, 22. 2. 1990, p. 17)

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 : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.

(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 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, 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.

(6) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate for each action number/shipping number.

(7) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin for each action number/shipping number.

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

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

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

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

(9) Shipment to take place in 20-foot containers, condition 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 provisions of Article 13 (2), second subparagraph, of Regulation (EEC) No 2200/87 shall not apply.

(10) 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).

(11) 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.

(12) In 20-foot containers.

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

(13) In new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure giving equivalent guarantees, of 190 to 200 kilograms (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof.

(14)

Operation No	Quantities (in tonnes)	Port of landing	Destination/Address of the warehouse
125/90	375	Huangpu (Guangzhou)	No 2 Dairy Plant, Panlonggang, Shahe
126/90	338	Mawei (Fuzhou)	Kangle Dairy Plant, Wuliting Fuma Road
127/90	637	Shanghai	The Warehouse of the Dairy Development Project, No 780 Beizhai Road, Beixingjing
128/90	488	Xingang (Tianjin)	Refrigeration Plant, Dairy Company Xingfudao Jiaokou, Hongxing Road, Hebei District
129/90	375	Dalian	The Warehouse of the Dairy Development Project, No 141 Dongbei Road, Xigang

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	60	15	Prosalus	Bénin	Action n° 100/90 / Prosalus / 95520 / Tanguieta via Cotonou / Pour distribution gratuite
		15	Prosalus	Bénin	Action n° 101/90 / Prosalus / 95521 / Zagnanado via Cotonou / Pour distribution gratuite
		15	Prosalus	Liberia	Action No 102/90 / Prosalus / 95530 / Ganta via Monrovia / For free distribution
		15	ICR	Uganda	Action No 103/90 / ICR / 94607 / Kampala via Mombasa / For free distribution