COMMISSION REGULATION (EEC) No 841/90

of 2 April 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 33 280 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, 2 April 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 and B

1. **Operation Nos** (1): 134/90 (Lot A), 35/90 and 144/90 (Lot B)
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**: Ethiopia
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1)
8. **Total quantity**: 24 600 tonnes
9. **Number of lots**: two (A: 15 000 tonnes; B: 9 600 tonnes)
10. **Packaging and marking** (4) (8): 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: see Annex II
11. **Method of mobilization**: on the Community market
12. **Stage of supply** (9): free at port of shipment — fob stowed
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 — 25. 5. 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**: 17. 4. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 24. 4. 1990, at 12 noon
    (b) period for making the goods available at the port of shipment: 10 — 31. 5. 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** (5): 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** (6): refund applicable on 27. 3. 1990, fixed by Commission Regulation (EEC) No 482/90 (OJ No L 51, 27. 2. 1990, p. 31)

LOT C

1. **Operation No** (1): 109/90
2. **Programme**: 1989
3. **Recipient**: Lesotho Flour Mills, Private Bag A 62, Maseru 100; tel. 234 98, telex 329 BB
4. **Representative of the recipient** (10): Manager, Food Management Unit, PO Box 527, Maseru; tel. 32 39 58
5. **Place or country of destination**: Lesotho
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)
8. **Total quantity**: 7 000 tonnes
9. **Number of lots**: one
10. **Packaging**: in bulk
11. **Method of mobilization**: on 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**: Lesotho Flour Mills, Private Bag A 62, Maseru 100; tel. 234 98, telex 329 BB
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment**: 15. 6 — 15. 7. 1990
18. **Deadline for the supply**: 1 — 31. 8. 1990
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 17. 4. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 24. 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: 15. 6 — 15. 7. 1990
    (c) deadline for the supply: 1 — 31. 8. 1990
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, 200 rue de la Loi, B-1049 Bruxelles; telex: AGREC 22037 B / 25670 B
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 27. 3. 1990 fixed by Regulation (EEC) No 482/90 (OJ No L 51, 27. 2. 1990, p. 31)

LOT D

1. **Operation No** (1): 907/89
2. **Programme**: 1989
3. **Recipient**: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma; telex 626675 WFP I
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Ethiopia
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1)
8. **Total quantity**: 815 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (4): 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:

    'ACTION No 907/89 / ETHIOPIA 0346001 / WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / ASSAB'
11. **Method of mobilization**: on 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 to 31. 5. 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**: 17. 4. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 24. 4. 1990, at 12 noon
    (b) period for making the goods available at the port of shipment: 15 to 31. 5. 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** (5): 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 / 25670 B
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 27. 3. 1990, fixed by Commission Regulation (EEC) No 482/90 in OJ No L 51, 27. 2. 1990, p. 31)

LOT E

1. **Operation Nos** (1): 54/90 to 56/90
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**: 444 tonnes (765 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** (4) (7) (8): 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. 5 — 15. 6. 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**: 17. 4. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 24. 4. 1990, at 12 noon
    (b) period for making the goods available at the port of shipment: 1 — 30. 6. 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** (5): 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 / 25670 B
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 27. 3. 1990, fixed by Commission Regulation (EEC) No 482/90 (OJ No L 51, 27. 2. 1990, p. 31)

LOT F

1. **Operation No** (1): 944/89
2. **Programme**: 1989
3. **Recipient**: Djibouti
4. **Representative of the recipient** (10): Ministère de la Santé Publique, BP 1974, Djibouti ; (Tel. (Secrétariat ministre) 253 35 14 91 ; (conseiller technique) 253 35 08 43 ; telex (via Présidence de la République) 5871)
5. **Place or country of destination**: Djibouti
6. **Product to be mobilized**: pasta products
7. **Characteristics and quality of the goods** (3):
   - — moisture content: maximum 12,5 %
   - — percentage dry matter:
     - — ash: minimum 0,70 — maximum 0,90
     - — cellulose: minimum 0,20 — maximum 0,45
     - — protein (nitrogen × 5,70): 10,50
   - — acidity level: 4

   Acidity is expressed in terms of the number of cm^3 of normal alkaline solution needed to neutralize 100 g of dry matter.
8. **Total quantity**: 50 tonnes (100 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** (11):

    'ACTION No 944/89 / PÂTES ALIMENTAIRES / DON DE LA COMMUNAUTÉ / ÉCONOMIQUE EUROPÉENNE'
11. **Method of mobilization**: on 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**: —
15. **Port of landing**: Djibouti
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**: 15. 5 — 15. 6. 1990
18. **Deadline for the supply**: 15. 7. 1990
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 17. 4. 1990
21. **In the case of a second invitation to tender**:
    - (a) deadline for the submission of tenders: 12 noon on 30. 4. 1990
    - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1 — 30. 6. 1990
    - (c) deadline for the supply: 31. 7. 1990
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 Berlaymont bureau 6/73, 200 rue de la Loi, B-1049 Bruxelles ; telex AGREC 22037 B / 25670 B
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 30. 3. 1990, fixed by Commission Regulation (EEC) No 520/90 in OJ No L 53, 1. 3. 1990, p. 73).

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 shall supply to the beneficiary or its representative, on delivery, the following documents:

The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:

— certificate of origin,

— phytosanitary certificate.

(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, 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,

— or by telecopier on one of the following numbers in Brussels:

— 235 01 32,

— 236 10 97,

— 235 01 30,

— 236 20 05

(6) 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 Annexes.

(7) Shipment to take place in 20-fot containers (54/90 and 56/90 : 40-foot containers), condition FCL/LCL. The supplier shall be responsible for the cost of making the containers available in the stack provision 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.

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 lockatiner, the number of which is to the beneficiary's forwarder.

(8) The supplier should send a duplicate of the original invoice to: M. De Keyzer and Schütz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.

(9) By way of derogation from Articles 7 (3) (f) and 13 (2) of Regulation (EEC) No 2200/87, the price tendered must include the loading and stowage costs. The loading and stowage operations will be the responsibility of the successful tenderer.

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

— Lot C: M. A Kratz, PO Box MS 518 Maseru, Lesotho; tel 31 37 26, telex DELEGEUR 4351 LO.

— Lot F: M. Perez Porras, PO Box 2477, Djibouti: telex 5894 DJ, telefax 253-35 00 36.

(11) Packed in 1 kg packages of isotactic polypropylene, cardboard or cellophane bearing the date of manufacture and the 'use-by' date or the minimum conservation period of the product.

The packages shall be packed in boxes with 25 packages made from a heard-wearing material suitable for transport by sea; the boxes shall be attached to pallets using a strong nylon and around both.

The packages and cartons shall carry in letters of at least 1 cm and at least 3 cm respectively, the markings shown at point 10.

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	15 000		Euronaid	Ethiopia	Action No 134/90 / Wheat / LWF / 95102 / Gift of the European Economic Community / For free distribution
B	9 600	6 500	Euronaid	Ethiopia	Action No 35/90 / Wheat / Concern / 95400 / Assab / Gift of the Eurpean Economic Community / For free distribution
		3 100	Euronaid	Ethiopia	Action No 144/90 / Wheat / WVB / 905301 / Assab / Gift of the European Economic Community / For free distribution
E	444	288	Caritas N	Colombia	Acción nº 54/90 / Copos de avena / Caritas neerlandica / 90336 / Bogotá vía Santa Marta / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		12	CAM	Brasil	Acção nº 55/90 / Flocos de aveia / CAM / 92049 / Recife / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		144	Caritas N	Haïti	Action nº 56/90 / Flocons d'avoine / Caritas Neerlandica / 90334 / Port-au-Prince / Don de la Communauté économique européenne / Pour distribution gratuite