# COMMISSION REGULATION (EEC) No 94/90

## of 15 January 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 of 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 50 000 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 of 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, 15 January 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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[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*

LOT A

1. **Operation No** (1): 855/89
2. **Programme**: 1989
3. **Recipient**: Sudan — Food Aid National Administration (FANA), Ministry of Finance & Planning, PO Box 735, Khartoum telex 324; telegraphic Address: MANOAT
4. **Representative of the recipient** (2): Ambassade de la République du Soudan, 124, avenue F. D. Roosevelt, 1050 Bruxelles, tel. 647 94 94
5. **Place or country of destination**: Sudan
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**: 14 600 tonnes (20 000 tonnes of cereals)
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.2a):

    'ACTION No 855/89; WHEAT FLOUR GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO SUDAN'
11. **Method of mobilization**: 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**: Port Sudan
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**: 10 to 20. 2. 1990
18. **Deadline for the supply**: 15. 3. 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 30. 1. 1990
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon on 13. 2. 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 to 20. 3. 1990
    (c) deadline for the supply: 31. 3. 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 or 25670 B
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 25. 1. 1990 fixed by Regulation (EEC) No 3929/89 (OJ No L 375, 22. 12. 1989, p. 76)

LOT B

1. **Operation No** (1): 854/89
2. **Programme**: 1989
3. **Recipient**: Mozambique
4. **Representative of the recipient** (2): IMBEC EE, CP 4229, Maputo (telex: 6-206 IMBEC MO MAPUTO)
5. **Place or country of destination**: Mozambique
6. **Product to be mobilized**: milled rice (product codes 1006 30 94 900 or 1006 30 96 900)
7. **Characteristics and quality of the goods** (3) (8):
   see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.10)
8. **Total quantity**: 12 500 tonnes (30 000 tonnes of cereals)
9. **Number of lots**: one in 3 (1 : Nacala 1 500 tonnes ; 2 : Beira 4 000 tonnes ; 3 : Maputo 7 000 tonnes)
10. **Packaging and marking** (4):
    see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (a))
    marking on the bags in letters at least 5 cm high:
    'ACÇÃO Nº 254/89 / ARROZ / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA'
11. **Method of mobilization**: 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** (7): 1: Nacala; 2: Beira; 3: Maputo
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. 2 to 15. 3. 1990
18. **Deadline for the supply**: 31. 3. 1990
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 30. 1. 1990 at 12 noon
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 13. 2. 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: 1 to 31. 3. 1990
    (c) deadline for the supply: 15. 4. 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 or 25670 B
25. **Refund payable on request by the successful tenderer** (6):
    Refund applicable on 25. 1. 1990 fixed by Commission Regulation (EEC) No 3929/89 (OJ No L 375, 22. 12. 1989, page 76)

*Notes:*

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

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

Part A. — Délégué de la Commission au Soudan, Third Floor, AAAID Building, Osman Digna Avenue, Khartoum, telex 23096 DELSU SD

Part B. — FSC da Camara, CP 1306 Maputo, (tel. 49 02 66; telex 6-146 CCE MO)

(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 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 captial '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, 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.

(7) The allocation of the quantities between the three destinations is subject to review. One destination may be cancelled and another chosen. The choice will remain open at the latest until the entry of the vessel into Mozambican waters.

(8) The following documents must be forwarded immediately after loading to the recipient's representative so that he can obtain an import licence:

— original *pro forma* invoice,

— packing list,

— phytosanitary certificate,

— certificate of origin,

— bill of lading (1/3 original).