COMMISSION REGULATION (EEC) No 3628/91

of 13 December 1991

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 1930/90 [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 beneficiary organizations 1 385 tonnes 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], as amended by Regulation (EEC) No 790/91 [5]; 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.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

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, 13 December 1991.

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 174, 7. 7. 1990, p. 6.
(3) OJ No L 136, 26. 5. 1987, p. 1.
(4) OJ No L 204, 25. 7. 1987, p. 1.
(5) OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOTS A and B

1. **Operation Nos** (1): 970/91 to 980/91
2. **Programme**: 1991
3. **Recipient**: Euronaid, PO Box 77, NL-2340 AB-Oegstgeest
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of of destination**: see Annex II
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (2) (5) (6)
   see OJ No C 114, 29. 4. 1991, p. 3 (under I.B.1)
8. **Total quantity**: 1 160 tonnes
9. **Number of lots**: two (Lot A: 840 tonnes; Lot B 320 tonnes)
10. **Packaging and marking** (7) (8) (9): 25 kg
    see OJ No C 114, 29. 4. 1991, p. 4 (under I.B.2 and I.B.3)
    Markings in English, Spanish and Portuguese
    Supplementary markings on the packaging: see Annex II
11. **Method of mobilization**: Community market
    The vitaminized skimmed-milk powder must be manufactured and the vitamins incorporated after the award of the tender
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 — 28. 2. 1992
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** (3): 12 noon on 13. 1. 1992
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon on 27. 1. 1992
    (b) period for making the goods available at the port of shipment: 15. 2 — 15. 3. 1992
    (c) deadline for the supply: —
    B. **In the case of a third invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon on 10. 2. 1992
    (b) Period for making the goods available at the port of shipment: 1. — 28. 3. 1992
    (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders**:
    Bureau de l'aide alimentaire,
    À l'attention de Monsieur N. Arend,
    Bâtiment Loi 120, bureau 7/46,
    Rue de la Loi, 200
    B-1049 Bruxelles;
    (telex: 22037 AGREC B or 25670 AGREC B)
25. **Refund payable on application by the successful tenderer** (4): refund applicable 15. 11. 1991, fixed by Commission Regulation (EEC) No 3328/91 (OJ No L 314, 15. 11. 1991, p. 23)

LOT C

1. **Operation Nos** (1): 993 to 996/91
2. **Programme**: 1991
3. **Recipient**: Euronaid, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Uganda
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (2) (5) (6):
   see OJ No C 114, 29. 4. 1991, p. 3, (under I.B.1)
8. **Total quantity**: 225 tonnes
9. **Number of lots**: one (see Annex II)
10. **Packaging and marking** (8) (9) (10): 25 kg
    see OJ No C 114, 29. 4. 1991, p. 4 (under I.B.2 and I.B.3.)
    Markings in English
    Supplementary markings on the packaging: see Annex II
11. **Method of mobilization**: Community market
    The skimmed-milk powder must be manufactured and the vitamins incorporated, after the award of the tender
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**:
    — C 1 — Operation 993/91: 10 — 28. 2. 1992
    — C 2 — Operation 994/91: 10 — 28. 3. 1992
    — C 3 — Operation 995/91: 10 — 30. 4. 1992
    — C 4 — Operation 996/91: 10 — 30. 5. 1992
18. **Deadline for the supply**: —
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** (3): 12 noon on 13. 1. 1992
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon on 27. 1. 1992
    (b) period for making the goods available at the port of shipment:
    — C 1 — Operation 993/91: 15 — 27. 2. 1992
    — C 2 — Operation 994/91: 10 — 28. 3. 1992
    — C 3 — Operation 995/91: 10 — 30. 4. 1992
    — C 4 — Operation 996/91: 10 — 30. 5. 1992
    (c) deadline for the supply: —
21. B. **In the case of a third invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon on 10. 2. 1992
    (b) period for making the goods available at the port of shipment:
    — C 1 — Operation 993/91: 1 — 10. 3. 1992
    — C 2 — Operation 994/91: 10 — 28. 3. 1992
    — C 3 — Operation 995/91: 10 — 30. 4. 1992
    — C 4 — Operation 996/91: 10 — 30. 5. 1992
    (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders**:
    Bureau de l'aide alimentaire,
    À l'attention de Monsieur N. Arend,
    Bâtiment Loi 120, bureau 7/46,
    Rue de la Loi, 200
    B-1049 Bruxelles,
    (telex: 22037 AGREC B or 25670 AGREC B)
25. **Refund payable on application by the successful tenderer** (4): Refund applicable 15. 11. 1991, fixed by Commission Regulation (EEC) No 3328/91 (OJ No L 314, 15. 11. 1991, p. 23)

Notes :

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

(2) The successful tenderer shall deliver to the beneficiary for each action number/shipping number 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.

Radioactivity analysis must indicate the caesium-134 and -137 levels.

(3) 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,
— 236 33 04.

(4) 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.

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

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

(7) 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 paragraph, of Regulation (EEC) No 2200/87 shall not apply.

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

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

(9) The successful tenderer has to submit to the recipient's agent a complete packaging 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.

(10) 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.

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	840	45	Caritas Belgica	Haïti	Action nº 970/91 / Haïti / Caritas B / 910238 / Port-au-Prince / Pour distribution gratuite
		445	Caritas N	Haïti	Action nº 971/91 / Haïti / Caritas N / 910331 / Port-au-Prince / Pour distribution gratuite
		200	Protos	Haïti	Action nº 972/91 / Haïti / Protos / 911505 / Port-au-Prince / Pour distribution gratuite
		150	Caritas N	República Dominicana	Acción nº 973/91 / República Dominicana / Caritas N / 910322 / Santo Domingo / Destinado a la distribución gratuita
B	320	60	Cinterad	Burkina Faso	Action nº 974/91 / Burkina Faso / Cinterad / 913427 / Ouagadougou via Cotonou / Pour distribution gratuite
		35	Cinterad	Mali	Action nº 975/91 / Mali / Cinterad / 913441 / Bamako via Cotonou / Pour distribution gratuite
		45	Caritas N	Angola	Acção nº 976/91 / Angola / Caritas N / 910341 / Luanda / Destinado a distribuição gratuita
		15	Caritas N	Angola	Acção nº 977/91 / Angola / Caritas N / 910342 / Benguela via Lobito / Destinado a distribuição gratuita
		30	Caritas N	Angola	Acção nº 978/91 / Angola / Caritas N / 910343 / Lubango via Namibe / Destinado a distribuição gratuita
		15	SSP	Madagascar	Action nº 979/91 / Madagascar / SSP / 911303 / Fianarantsoa via Mahajanga / Pour distribution gratuite
		120	Caritas Alema	Moçambique	Acção nº 980/91 / Moçambique / Caritas Alema / 910432 / Maputo / Destinado a distribuição gratuita

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C	225	C1-60	ICR	Uganda	Action No 993/91 / Uganda / ICR / 914600 / Kampala via Mombasa / For free distribution
		C2-60	ICR	Uganda	Action No 994/91 / Uganda / ICR / 914601 / Kampala via Mombasa / For free distribution
		C3-60	ICR	Uganda	Action No 995/91 / Uganda / ICR / 914602 / Kampala via Mombasa / For free distribution
		C4-45	ICR	Uganda	Action No 996/91 / Uganda / ICR / 914603 / Kampala via Mombasa / For free distribution