COMMISSION REGULATION (EEC) No 3786/92

of 28 December 1992

on the supply 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 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 beneficiaries 17 315 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), 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 cost;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

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.

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, 28 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

(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

LOT A

1. **Operation Nos** (1): 1311/92 (A 1) and 1312/92 (A 2)
2. **Programme**: 1992
3. **Recipient** (2): 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, Uganda
6. **Product to be mobilized**: durum wheat
7. **Characteristics and quality of the goods** (3) (6): OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1 (b))
8. **Total quantity**: 14 226 tonnes
9. **Number of lots**: 1 in 2 parts (A 1: 12 990 tonnes; A 2: 1 236 tonnes)
10. **Packaging and marking** (8): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.2 (a), II.A.3)
    — markings in English
    — supplementary markings: 'WFP'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: 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 (fob stowed) at the port of shipment**: 1 — 28. 2. 1993
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**: 12 noon (Brussels time) on 12. 1. 1993
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 26. 1. 1993
    (b) period for making the goods available (fob stowed) at the port of shipment: 15 — 2.-14. 3. 1993
    (c) deadline for the supply: —

    B. **In the case of a third invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 9. 2. 1993
    (b) period for making the goods available (fob stowed) at the port of shipment: 1 — 21. 3. 1993
    (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 and tendering securities** (1): 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 22037/25670 AGREC B; telefax (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on request by the successful tenderer** (4): refund applicable on 31. 12. 1992, fixed by Commission Regulation (EEC) No 3421/92 (OJ No L 347, 28. 11. 1992, p. 28)

LOT B

1. **Operation No** (1): 871/91
2. **Programme**: 1991
3. **Recipient** (2): Angola
4. **Representative of the recipient**: Transapro U.E.E., Regional Huila, Rua Comandante Cow Boy, Namibe, tel. (244-61) 22 001, 21 723; telex: 8691
5. **Place or country of destination** (3): Angola
6. **Product to be mobilized**: maize
7. **Characteristics and quality of the goods** (3): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1 (d))
8. **Total quantity**: 2 000 tonnes
9. **Number of lots**: 1
10. **Packaging and marking** (8): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.2 (a) and II.A.3)
    Markings in Portuguese
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**: Namibe
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**: 1 — 14. 2. 1993
18. **Deadline for the supply**: 12. 3. 1993
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 12. 1. 1993
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 26. 1. 1993
    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 — 28. 2. 1993
    (c) deadline for the supply: 26. 3. 1993

    B. **In the case of a third invitation to tender**:
    (a) deadline for the submission of tenders: 09. 2. 1993, at 12 noon (Brussels time)
    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1 — 14. 3. 1993
    (c) deadline for the supply: 9. 4. 1993
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 and tendering securities** (1): 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 / 25670 AGREC B; telefax (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on request by the successful tenderer** (4): refund applicable on 31. 12. 1992, fixed by Commission Regulation (EEC) No 3421/92 (OJ No L 347, 28. 11. 1992, p. 28)

LOT C

1. **Operation No** (1): 842/91
2. **Programme**: 1991
3. **Recipient** (2): Euronaid, Rhijngeesterstraatweg 40, 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**: Ethiopia
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods** (3) (6): see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.1 (a))
8. **Total quantity**: 100 tonnes (137 tonnes of cereals)
9. **Number of lots**: 1
10. **Packaging and marking** (8): see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.2 (d) and II.B.3)
    Markings in English
    Supplementary markings: 'AATM/911741/ASSAB'
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**: 8 — 28. 2. 1993
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**: 12. 1. 1993, at 12 noon (Brussels time)
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 26. 1. 1993, at 12 noon (Brussels time)
    (b) period for making the goods available at the port of shipment: 22. 2 — 14. 3. 1993
    (c) deadline for the supply: —

    B. **In the case of a third invitation to tender**:
    (a) deadline for the submission of tenders: 9. 2. 1993, at 12 noon (Brussels time)
    (b) period for making the goods available at the port of shipment: 8 — 28. 3. 1993
    (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 and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex 22037 / 25670 AGREC B; telefax: (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on request by the successful tenderer** (4): refund applicable on 31. 12. 1992, fixed by Commission Regulation (EEC) No 3421/92 (OJ No L 347, 28. 11. 1992, p. 28)

LOTS D and E

1. **Operation Nos** (1): see Annex II
2. **Programme**: 1992
3. **Recipient** (2): Euronaid, PO Box 79, NL-2340 AB Oegstgeest; tel. (31-71) 15 91 56/59; telefax 15 52 01; telex 30223 NL CEMEC
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: oat flakes
7. **Characteristics and quality of the goods** (3) (6): see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.1 (e))
8. **Total quantity**: 552 tonnes (952 tonnes of cereals)
9. **Number of lots**: 2; see Annex II
10. **Packaging and marking** (7) (8) (9): see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.2. (f) or II.B.2. (g) and II.B.3)

    Sacks: 25 kg

    Markings in Spanish (lot E) and French (lot D)

    supplementary markings: 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**: 8 — 28. 2. 1993
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**: 12. 1. 1993, at 12 noon (Brussels time)
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 26. 1. 1993, at 12 noon (Brussels time)
    (b) period for making the goods available at the port of shipment: 22. 2 — 14. 3. 1993
    (c) deadline for the supply: —

    B. **In the case of a third invitation to tender**:
    (a) deadline for the submission of tenders: 9. 2. 1993, at 12 noon (Brussels time)
    (b) period for making the goods available at the port of shipment: 8 — 28. 3. 1993
    (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 and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex 22037 / 25670 AGREC B; telefax: (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on request by the successful tenderer** (4): refund applicable on 31. 12. 1992, fixed by Commission Regulation (EEC) No 3421/92 (OJ No L 347, 28. 11. 1992, p. 28)

Notes :

(1) The operation number should be mentioned in all correspondence.

(2) The succesful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.

(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 must indicate the caesium-134 and -137 and iodine-131 levels.

(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) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.

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

— health certificate,

— certificate of origin.

(7) Shipment to take place in 20-foot containers (lot E) and in 40-foot containers (lot D), condition FCL/FCL. 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 successful tenderer has to submit to the recipient's agent a complete packaging list of each container, specifying the number of bags 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.

(8) 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'.

(9) See fourth amendement to OJ No C 114 published in OJ No C 272, 21. 10. 1992, p. 6.

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

Lote Parti Partie Παρτίδα Lot Lot Lotto Partij Lote	Cantidad total (en toneladas) Totalmængde (tons) Gesamtmenge (in Tonnen) Συνολική ποσότητα (σε τόνους) Total quantity (in tonnes) Quantité totale (en tonnes) Quantità totale (in tonnellate) Totale hoeveelheid (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)	Acción nº Aktion nr. Maßnahme Nr. Δράση αριθ. Operation No Action nº Azione n. Maatregel nr. Acção nº	Inscripciones complementarias Yderligere påskrifter Ergänzende Aufschriften Συμπληρωματικές ενδείξεις Supplementary markings Inscriptions complémentaires Iscrizioni supplementari Bijkomende vermeldingen Inscrições complementares
D	468		1327/92	Haïti / Caritas N / 920318 / Port-au-Prince
E	84	E1 : 24	1329/92	Peru / Caritas DK / 925824 / Lima via Callão
		E2 : 36	1330/92	Peru / Caritas DK / 925825 / Lima via Callão
		E3 : 24	1331/92	Peru / Caritas DK / 925826 / Lima via Callão