COMMISSION REGULATION (EEC) No 1134/93

of 7 May 1993

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 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 countries and beneficiary organizations 15 987 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 costs;

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, 7 May 1993.

For the Commission

René STEICHEN

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

LOTS A, B, C and D

1. **Operation Nos** (1): See Annex II
2. **Programme**: 1992 and 1993
3. **Recipient** (2): Euronaid PO Box 12, NL-2501 CA Den Haag (tel. (31 70) 330 57 57; fax: 364 17 01; telex: 30960 NL EURON
4. **Representative of the recipient** (9): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: milled rice (product code 1006 30 92 900, 1006 30 94 900, 1006 30 96 900)
7. **Characteristics and quality of the goods** (3) (6): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1 (f))
8. **Total quantity**: 4 596 tonnes (11 031 tonnes of cereals)
9. **Number of lots**: four, see Annex II
10. **Packaging and marking** (7) (8) (10): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A (2) (a) and II.A(3))

    Markings in French (B1 to B4, C1, C2, C7, C8, D3 and D4); English (C3, C5, C6 and D1); Spanish (A to A3 and D 2) and Portuguese (C4 and C8)

    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**: 28. 6 — 18. 7. 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 25. 5. 1993
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 6. 1993
    (b) period for making the goods available at the port of shipment: 12. 7 — 1. 8. 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 22. 6. 1993
    (b) period for making the goods available at the port of shipment: 26. 7 — 15. 8. 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 T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex 22037 / 25670 AGREC B; fax: (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 20. 5. 1992, fixed by Commission Regulation (EEC) No 1040/93 (OJ No L 106, 1. 5. 1993, p. 29)

LOT E

1. **Operation No** (1): 1556/92
2. **Programme**: 1992
3. **Recipient** (2): Ecuador
4. **Representative of the recipient**: Ambassade de l'Équateur, chaussée de Charleroi 70, B-1060 Bruxelles (tel. 537 91 30; telex 63292 B). In Ecuador: SENAPS, Av. América 1805 y la Gasca, AP 1701, Quito (telex 2427; tel. 52 45 68, 55 34 67; fax 50 14 29)
5. **Place or country of destination** (3): Ecuador
6. **Product to be mobilized**: milled rice (product code 1006 30 94 900, 1006 30 96 900, 1006 30 92 900)
7. **Characteristics and quality of the goods** (3): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1 (f))
8. **Total quantity**: 400 tonnes (960 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** (8) (10): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.2 (b) and II.A.3)
    Markings in Spanish
11. **Method of mobilization of product**: 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**: Guayaquil
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**: 21. 6 — 4. 7. 1993
18. **Deadline for the supply**: 1. 8. 1993
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for the submission of tenders**: 12 noon (Brussels time) on 25. 5. 1993
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 6. 1993
    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 5 — 18. 7. 1993
    (c) deadline for the supply: 15. 8. 1993

    B. **In the case of a third invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 22. 6. 1993
    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 19. 7 — 1. 8. 1993
    (c) deadline for the supply: 29. 8. 1993
22. **Amount of 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 Mr T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex 22037 / 25670 AGREC B; fax (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on application by the successful tenderer** (4): Refund applicable on 20. 5. 1993, fixed by Commission Regulation (EEC) No 1040/93 (OJ No L 108, 1. 5. 1993, p. 29)

LOTS F and G

1. **Operation Nos** (1): 1572/92 (F) and 1573/92 (G)
2. **Programme**: 1992
3. **Recipient** (2): Angola
4. **Representative of the recipient**: — lot F: PAM (Programme Alimentaire Mondial), Rua Major Kanhangulo nº 197/R-C (Sr Filiphe Borel, tel. (24 42) 239 35 43; fax 239 35 42, telex 3426 UN WFP AN), Luanda
   — lot G: Edimba/Importang, rua da Calçada do Municipio nº 10 (Sr Carlos Coelho, tel. 39 27 87; telex 3169 COMEX AN), Luanda
5. **Place or country of destination**: Angola
6. **Product to be mobilized**: milled rice (product code 1006 30 94 900 / 1006 30 96 900 / 1006 30 92 900)
7. **Characteristics and quality of the goods** (3): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1(f))
8. **Total quantity**: 1 665 tonnes (3 996 tonnes of cereals)
9. **Number of lots**: two (F: 1 250 tonnes; G: 415 tonnes)
10. **Packaging and marking** (8) (10): 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 of product**: 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**: Luanda
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**: 21. 6 — 4. 7. 1993
18. **Deadline for the supply**: 1. 8. 1993
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for the submission of tenders**: 12 noon (Brussels time) on 25. 5. 1993
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 8. 6. 1993
    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 5 — 18. 7. 1993
    (c) deadline for the supply: 15. 8. 1993

    B. **In the case of a third invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 22. 6. 1993
    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 19. 7 — 1. 8. 1993
    (c) deadline for the supply: 29. 8. 1993
22. **Amount of tendering security**: ECU 5 per tonne
23. **Amount of 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 Mr T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200, rue de la Loi, B-1049 Bruxelles; telex 22037 / 25670 AGREC B; fax: (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on application by the successful tenderer** (4): Refund applicable on 20. 5. 1993, fixed by Commission Regulation (EEC) No 1040/93 (OJ No L 108, 1. 5. 1993, p. 29)

Notes:

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

(2) The successful 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 casium-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 accession compensatory amounts. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106) shall not apply to this amount.

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

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

— health certificate.

(7) Shipment to take place in 20-foot containers condition FCL/FCL. The supplier shall be responsible for the cost of making the containers available in the stock position at the container terminal at the port of shipment. The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.

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) 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.

(10) Notwithstanding OJ No C 114, point II.A.3 (c) is replaced by the following: 'the words "European Community"'.

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 (i 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 (i 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
A	1 580	A 1 : 180	1406/92	Perú / Codespa / 9211200 / Callao
		A 2 : 722	1507/92	Perú / Caritas N / 920355 / Arequipa vía Matarani
		A 3 : 678	1508/92	Perú / Caritas N / 920354 / Lima vía Callao
B	1 292	B 1 : 648	1407/92	Haïti / Caritas N / 920315 / Port-au-Prince
		B 2 : 224	1408/92	Haïti / Protos / 921511 / Port-au-Prince
		B 3 : 348	1503/92	Haïti / Caritas N / 920316 B / Port-au-Prince
		B 4 : 72	1411/92	Togo / AATM / 921768 / Lomé, option Cotonou
C	1 332	C 1 : 18	1409/92	Sénégal / AATM / 921769 / Saint Louis via Dakar
		C 2 : 18	1410/92	Sénégal / AATM / 921770 / Diourbel via Dakar
		C 3 : 18	1504/92	Sierra Leone / Prosalus / 925559 / Lunsar via Freetown
		C 4 : 18	1505/92	Brasil / PDF / 927125 / São Luis via Belem
		C 5 : 18	119/93	Liberia / Prosalus / 93 PRS 004 / Monrovia
		C 6 : 900	120/93	Sierra Leone / CRS / 93 CRS 005 / Freetown
		C 7 : 144	121/93	Algérie / Caritas B / 93 CAB 014 / Alger via Oran
		C 8 : 144	122/93	Algérie / Oxfam B / 93 OXB 007 / Tindouf via Oran
		C 9 : 54	123/93	Brasil / PDF / 93 PDF 001 / Manaus
D	392	D 1 : 260	1412/92	Uganda / ICR / 924608 / Kiryandongo via Mombasa
		D 2 : 60	1567/92	Chile / AATM / 93 ATM 005 / Coyahique vía Chacabuco
		D 3 : 36	116/93	Djibouti / Caritas B / 93 CAB 003 / Djibouti
		D 4 : 36	117/93	Mauritanie / Caritas F / 93 CAF 001 / Nouakchott