COMMISSION REGULATION (EEC) No 808/93
of 2 April 1993
on the supply of milk products 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 recipients 3 796 tonnes of 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;

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

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, 2 April 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, D and E

1. **Operation Nos** (1): see Annex II
2. **Programme**: 1992 (lots A, B) and 1993 (lots C, D, E)
3. **Recipient** (2): Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland; tel. (31-70) 33 05 757; fax 36 41 701; telex 30960 euron nl
4. **Representative of the recipient** (8): see OJ No C 103, 16. 4. 1987
5. **Place or countries of destination**: see Annex II
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (7) (10):
   (see OJ No C 114, 29. 4. 1991, p. 3 (under I.B.1))
8. **Total quantity**: 3 196 tonnes
9. **Number of lots**: five (see Annex II)
10. **Packaging and marking** (9): 25 kg
    see OJ No C 114, 29. 4. 1991, p. 4 (under I.A.2.3 and I.B.3)
    markings in English (A1 to A3, A5, A6, C, E1, E7), Portuguese (E10 to E12), French (B, D, E2 to E6, E8, E9) and Spanish (A4)
    supplementary markings on the packaging: see Annex II; A6: 'Expiry date ...'
11. **Method of mobilization**: the Community market
    manufacture of skimmed-milk powder, and the incorporation of vitamins, must be carried out 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**: 10 — 30. 5. 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 noon (Brussels time) on 19. 4. 1993
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 3. 5. 1993
    (b) period for making the goods available at the port of shipment: 24. 5 — 13. 6. 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 17. 5. 1993
    (b) period for making the goods available at the port of shipment: 7 — 27. 6. 1993
    (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 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; telefax: (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 9. 4. 1993, fixed by Commission Regulation (EEC) No 689/93 (OJ No L 73, 26. 3. 1993, p. 15)

LOT F

1. **Operation No** (1): 1542/92
2. **Programme**: 1992
3. **Recipient** (2): Bolivia
4. **Representative of the recipient**: Ofinaal, Calle Carrasco 1323, Esq. Busch (Miraflores), La Paz. Jefe Área Operaciones: Sra Rosario Frías de Tapia (tel. 35 57 51)
5. **Place or country of destination** (5): Bolivia
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3): See OJ No C 114, 29. 4. 1991, p. 1 (I.B.1)
8. **Total quantity**: 600 tonnes
9. **Number of lots**: one in three parts (F1: 250 tonnes; F2: 250 tonnes; F3: 100 tonnes)
10. **Packaging and marking**: See OJ No C 114, 29. 4. 1991, p. 1 (I.B.2, I.A.2.3, I.B.3)
    Markings in Spanish
    Supplementary markings: 'DISTRIBUCIÓN GRATUITA'
11. **Method of mobilization**: the 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 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**: Arica (6)
    Officinas responsables Ofinaal:
    — F1: Carretera La Paz-Viacha, km 15, La Paz
    — F2: Carretera Salida Oruro/La Paz 455, Zona Norte, Oruro
    — F3: Carretera o Tiquipaya, Zona Trojes, Cochamba
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 31. 5 — 13. 6. 1993
18. **Deadline for the supply**: 27. 8. 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 19. 4. 1993
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 3. 5. 1993
    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 14 — 27. 6. 1993
    (c) deadline for the supply: 10. 9. 1993

    B. **In the case of a third invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 17. 5. 1993
    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 28. 6 — 11. 7. 1993
    (c) deadline for the supply: 24. 9. 1993
22. **Amount of the tendering security**: ECU 20 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 AGREC B / 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 9. 4. 1993, fixed by Commission Regulation (EEC) No 689/93 (OJ No L 73, 26. 3. 1993, p. 15)

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 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 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 8 to 12 of Commission Regulation (EEC) No 3819/92 (OJ No L 387, 31. 12. 1992, p. 17) shall not apply to this amount.

(5) Commission delegation to be contacted by the successful tenderer : Peru : C. Manuel González Olaechea, 247 San Isidro, Lima, — Tel. (51-14) 415827.

(6) The proof of payment of expenses 'planilla de gastos' arising at the port of Arica must be submitted with the payment application.

Office for the payment of the 'planilla de gastos' :

AADAA (Administración Autónoma de Almacenes Aduaneros), Casilla 5259 (Fax (02) 39 20 62 — Tel. 35 99 21 up to 31 La Paz, Bolivia);

AADAA (Administración Autónoma de Almalcenes Aduaneros), Casilla 1437 (Telex 22 10 43, Tel. 25 27 80 or 25 29 81 Arica, Chile).

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

— health certificate,

— veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.

(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) Lots A, B, D, E : 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 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.

The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying 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 loctainer, number of which to be provided to the beneficiary's forwarder.

(10) A6 : the successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate in English stating that the milk powder does not contain any pork fat.

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 Marquage complémentaire Iscrizioni supplementari Bijkomende vermeldingen Inscrições complementares
A	736	A1 : 136	1544/92	Ghana / CRS / 93 CRS 006 / Tema
		A2 : 60	1546/92	Uganda / ICR / 93 ICR 002 / Kampala via Mombasa
		A3 : 450	1547/92	Zimbabwe / WVUK / 93 WVB 011 / Mazone River Refugee Camp via Beira
		A4 : 150	1548/92	República Dominicana / Caritas N / 93 CAN 002 / Santo Domingo
		A5 : 60	1549/92	Lebanon / SPF / 93 SPF 001 / Beirut
		A6 : 180	1550/92	Pakistan / CRS / 93 CRS 007 / Karachi
B	600		1545/92	Rwanda / Caritas B / 93 CAB 015 / Kigali via Dar Es Salaam
C	240		38/93	Eritrea / Oxfam Bel / 93 OXB 003 / Massawa
D	990	D1 : 30	37/93	Togo / SBLB / 93 BLB 003 / Sokode via Lomé
		D2 : 180	39/93	Burkina Faso / CRS / 93 CRS 013 / Bobo Dioulasso via Abidjan
		D3 : 450	40/93	Burkina Faso / CRS / 93 CRS 012 / Ouagadougou via Abidjan
		D4 : 15	41/93	Benin / Prosalus / 93 PRS 001 / Zagnanado via Cotonou
		D5 : 30	42/93	Burkina Faso / Cinterad / 93 CIN 027 / Ouagadougou via Cotonou
		D6 : 15	43/93	Burkina Faso / FDHL / 93 FHL 002 / Ouahigouya via Abidjan
		D7 : 225	44/93	Burundi / Caritas B / 93 CAB 006 / Bujumbura via Dar Es Salaam
		D8 : 30	45/93	Comores / Caritas F / 93 CAF 005 / Moroni
		D9 : 15	46/93	Djibouti / Caritas B / 93 CAB 002 / Djibouti

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 Marquage complémentaire Iscrizioni supplementari Bijkomende vermeldingen Inscrições complementares
E	630	E1 : 15	47/93	Ethiopia / Christian / 93 CHA 006 / Dire Dawa via Djibouti
		E2 : 30	49/93	Mali / Cinterad / 93 CIN 014 / Kayes via Cotonou
		E3 : 30	50/93	Mali / Cinterad / 93 CIN 013 / Tombouctou via Cotonou
		E4 : 15	51/93	Mauritanie / Caritas F / 93 CAF 003 / Nouakchott
		E5 : 15	52/93	Niger / Cinterad / 93 CIN 021 / Diffa via Cotonou
		E6 : 15	53/93	Niger / Cinterad / 93 CIN 020 / Zinder via Cotonou
		E7 : 120	58/93	Sierra Leone / CRS / 93 CRS 004 / Freetown
		E8 : 150	60/93	Algérie / Caritas B / 93 CAB 013 / Alger via Oran
		E9 : 150	61/93	Algérie / Oxfam Bel / 93 OXB 008 / Tindouf via Oran
		E10 : 45	64/93	Brasil / CAM / 93 CAM 002 / Recife
		E11 : 30	65/93	Brasil / PDF / 93 PDF 002 / Manaus
		E12 : 15	124/93	Moçambique / FOS / 93 FOS 007 / Chimoio via Beira