COMMISSION REGULATION (EC) No 1684/94
of 11 July 1994
on the supply of cereals as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 31 000 tonnes of cereals;

Whereas it is necessary to make these supplies 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

Cereals shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. 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, 11 July 1994.

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

LOTS A and B

1. **Operation Nos** (1): 1688/93 (lot A) and 1689/93 (lot B)
2. **Programme**: 1993
3. **Recipient** (2): Bolivia
4. **Representative of the recipient**: Ofinaal, Calle Carrasco 1323, Esq. Busch (Miraflores), La Paz, Jefe Área Operaciones: Sr Edgar Perez Armandia (tel. 35 57 51)
5. **Place or country of destination** (5): Bolivia
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods** (3): see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.I (a))
8. **Total quantity**: 10 950 tonnes (15 000 tonnes of cereals)
9. **Number of lots**: two [lot A: 8 760 tonnes and lot B: 2 190 tonnes (B1: 1 000 tonnes; B2: 890 tonnes and B3: 300 tonnes)]
10. **Packaging and marking** (8) (9): see OJ No C 114, 29. 4. 1991, p. 1 (under II.B.(2) (b) and II.B.(3))
    Markings in Spanish
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Arica (6)
16. **Address of the warehouse and, if appropriate, port of landing**:
    Oficinas responsables Ofinaal:
    — lot A and B1: Carretera La Paz-Viacha, 15 km, La Paz.
    — B2: Carretera Salida Oruro, La Paz 455, Zona Norte, Oruro
    — B3: Carretera a Tiquipaya, Zona Trojes, Cochabamba
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 — 28. 8. 1994
18. **Deadline for the supply**: 30. 10. 1994
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 26. 7. 1994
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 9. 8. 1994
    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 29. 8 — 11. 9. 1994
    (c) deadline for the supply: 13. 11. 1994
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; 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 22. 7. 1994, fixed by Commission Regulation (EC) No 1571/94 (OJ No L 166, 1. 7. 1994, p. 95)

LOT C

1. **Operation No** (1): 400/94
2. **Programme**: 1994
3. **Recipient** (2): Ethiopia
4. **Representative of the recipient**:
   — Europe: Ambassade d'Ethiopie, 32, bd St Michel, 1040 Bruxelles, (tél.: 733 49 29 / 733 48 69; fax: 732 18 51; télex 62285)
   — Ethiopia: Mr. S. Tumor, General Manager, Ethiopian Food Security Reserve, PO Box 431, Addis Ababa; tel. (251-1) 51 71 62; telex (0980) 213 64.
5. **Place or country of destination** (3): Ethiopia
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** (3) (7): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1 (a))
8. **Total quantity**: 16 000 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (8) (9) (10) (11): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.2 (a) and II.A.3)
    Markings in English
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at destination (12);
13. **Port of shipment** : —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Massawa
16. **Address of the warehouse and, if appropriate, port of landing**: Ethiopian Food Security Reserve (ESFR) warehouse-Mekelle
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 22. 8. — 4. 9. 1994
18. **Deadline for the supply**: 6. 11. 1994
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 26. 7. 1994, (Brussels time)
21. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon on 9. 8. 1994, (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: 5 — 18. 9. 1994
    (c) deadline for the supply: 20. 11. 1994
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, a l'attention de Monsieur Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex AGREC 22037 B / AGREC 25670 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 22. 7. 1994, fixed by Commission (EC) No 1571/94 (OJ No L 166, 1. 7. 1994, p. 95)

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 certifiying 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. 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), as amended by Regulation (EC) No 547/94 (OJ No L 69, 12. 3. 1994, p. 1) shall not apply to this amount.

(5) Commission delegation to be contacted by the successfull tenderer : see OJ No C 114, 29. 4. 1991, p. 33. Lots A and B : av. Paseo de la Republica 3755, 5° piso, San Isidro, Lima 27 (tel. (51 14) 40 30 97 ; fax 40 97 63).

(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 Almacenes 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 :

— phytosanitary certificate,

— fumigation certificate.

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

(9) Since the goods may be rebagged, the succesful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

(10) The following should be included in the charter party :

'Food-aid consignment from the European Community : since the freight charges do not include coordination or supervision costs, the US $ 1,50 tax normally paid must not be applied in the case of this ship.'

(11) Bagging must be carried out before shipment.

(12) Notwithstanding Article 15 (1) and (2) of Regulation (EEC) No 2200/87, the successful tenderer is not responsible for the unloading from the means of overland transport and the placing in store at destination.