COMMISSION REGULATION (EC) No 2565/94

of 21 October 1994

on the supply of flour intended for the people of Azerbaijan, Kyrgyzstan and Tajikistan pursuant to Council Regulation (EC) No 1999/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1999/94 of 27 July 1994 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan [1], and in particular Article 4 (2) thereof,

Whereas, Commission Regulation (EC) No 2065/94 [2], laying down the rules for the application of Council Regulation (EC) No 1999/94 and in particular Article 2 (3) thereof, provides that the tenders for the free supply of processed products may relate to the quantity of basic product to be taken from intervention stocks as payment for the supply, and where applicable, in accordance with Article 5 (2), as payment for the costs of processing, packaging and marking;

Whereas, it is appropriate to open without delay a tendering procedure for the supply of 30 000 tonnes of common wheat flour;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the supply costs of 30 000 tonnes (net) of common wheat flour as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Article 2 (1) and (3) thereof.

Article 2

The supply shall include:

(a) Delivery of the product specified in Annex I, free on board, stowed on the boat in one of the following ports:

Lot No 1: 10 000 tonnes

— Rouen,

— Antwerp,

— Rotterdam.

Lot No 2: 10 000 tonnes

— Venice (Porto Marghera),

— Toulon,

— Port La Nouvelle.

Lot No 3: 10 000 tonnes

— Rouen,

— Antwerp,

— Rotterdam,

— Venice (Porto Marghera),

— Toulon,

— Port la Nouvelle.

(b) The packaging and marking of the product in accordance with the instructions set out in Annex I.

The goods must be made available for loading on board ship at the following dates:

Lot No 1:

— 5 000 tonnes with effect from 28 November 1994,

— 5 000 tonnes with effect from 5 December 1994.

Lot No 2:

— 10 000 tonnes with effect from 18 December 1994.

Lot No 3:

— 5 000 tonnes with effect from 28 November 1994,

— 5 000 tonnes with effect from 5 December 1994.

Article 3

1. In accordance with Article 4 of Regulation (EC) No 2065/94 the offers shall be presented to the following address:

Commission of the European Communities,
EAGGF-Guarantee section,
Division VI/G.2 (Office 10/05),
120 Rue de la Loi,
B-1049 Brussels.

The closing date for the lodgement of tenders shall be 3 November 1994 at 17.00 hours (Brussels time).

2. The offer of the tenderer shall indicate the quantity of common wheat, to be taken over from the intervention stocks referred to in Annex II, as payment for the supply, necessary to cover all costs of the supply as specified in Article 2 to the delivery stage laid down.

[1] OJ No L 201, 4. 8. 1994, p. 1.
[2] OJ No L 213, 18. 8. 1994, p. 3.

The offer shall be expressed in tonnes of common wheat (net weight) to be exchanged for a tonne of finished product (net weight).

3. By way of derogation from the amount referred to at Article 6 (1) (f) of Regulation (EC) No 2065/94 the tendering security is fixed at ECU 20 per tonne of common wheat flour.

4. The security refered to at Article 12 (2) of Regulation (EC) No 2065/94 is fixed at ECU 280 per tonne of common wheat flour, to be lodged in national currency.

5. The securities referred to in paragraphs 3 and 4 shall be lodged in favour of the Commission of the European Communities.

Article 4

The take-over certificate referred to in Article 10 (1) (b) of Regulation (EC) No 2065/94 shall be established on the basis of the model in Annex III.

Article 5

By way of derogation from Article 11 (1) of Regulation (EC) No 2065/94 all of the controls referred to in the said paragraph shall be carried out by the intervention agency of the Member State in which the port of loading is situated.

Article 6

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, 21 October 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

1. **Product of the supplied** : common wheat flour
2. **Characteristics and quality of the goods** [1] : see OJ No C 114, 29. 4. 1991 (under II (B) (1) (a))
3. **Total quantity** : 30 000 tonnes
4. **Number of lots** : three lots of 10 000 tonnes, each to be delivered to one port only
5. **Packaging** [2] : the three lots will be packaged in new mixed jute/polypropylene sacks each containing 50 kilograms net. OJ No C 114, 29. 4. 1991 (under II (B) (2) (c)).

   Additional requirements :

   Lot No 1 and Lot No 3

   The sacks must be packed on pallets at the rate of 20 sacks of 50 kilograms (net) per pallet. The pallets must be shrink wrapped and fastened by means of straps, twice horizontally and twice vertically. Each pallet shall be covered with polyethylene netting. The dimensions of the pallets shall be fixed in agreement with the service of the commission

   Lot No 2

   The sacks must be packaged in new polypropylene 'Slinged/Big Bags', closed on top, at the rate of 20 sacks of 50 kilograms per 'Big Bag'. The 'Big Bags' will be sealed under the responsibility of the successful tenderer. The 'Big Bags' should be of the dimensions 1,60m L × 1,20m W × 0,80m H
6. **Marking** : the marking of the sacks (information in the Russian language plus European flag) must conform to the requirements laid down in Official Journal No C 273 of 30 September 1994
7. **Stage of supply** : FOB stowed

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[1] The successful tenderer shall deliver to the transporter 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 Iodium − 131 levels.

[2] 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'.

ANNEX II

(in tonnes)

Places of storage	Quantity
DLG Frihavnen Ludersvej DK-2100 København Ø	1 246,460
DLG Havnepakhuset Ydre Kaj DK-3400 Frederikssund	5 040,520
DLG Eskildstrup Hovedgård Lager Ø Eskildstrupvej 39 DK-4100 Ringsted	2 022,840
DLG Eskildstrup Hovedgård Lager V Eskildstrupvej 39 DK-4100 Ringsted	1 864,980
DLG Siloanlæg Apotekervej 14 DK-4180 Sorø	5 039,800
DLG Planlager Rudsgade 1 DK-4291 Ruds Vedby	4 674,300
DLG Lager Øst Parallelvej 11 DK-4300 Holbæk	3 108,500
DLG Birkendegård DK-4400 Kalundborg	2 518,380
DLG Hal D Østervej 6-8 DK-4532 Gislinge	5 628,800
DLG Hal A — Magasinet Østervej 6 DK-4532 Gislinge	3 203,880
DLG Hal C Østervej 6-8 DK-4532 Gislinge	5 541,780
DLG Billesborg Hovedgård Billesborgvej 59 DK-4600 Køge	3 837,940
DLG Turebylille Lager Vest, Sydl. Vordingborgvej DK-4682 Tureby	1 802,220

Places of storage	Quantity
DLG Sannagård B Herredskirkevej 14 DK-4900 Nakskov	5 001,440
DLG Qvade Rukanvej 14 A DK-4900 Nakskov	4 199,480
DLG Siloanlægget Lindkøbingvej 9 DK-4900 Nakskov	1 402,680
DLG Frederiksdal, Lager 1 Frederiksdalvej 30 DK-4912 Harpelunde	4 502,860

The characteristics of the lots shall be supplied to the successful tenderer by the Danish intervention agency.

Address of the intervention agency:

DENMARK

Landbrugsministeriet,
EF-Direktoratet,
Nyropsgade 26,
DK-1602 København V.
Tel.: (45) 33 92 70 00; telefax: (45) 33 92 69 48.

ANNEX III

Take-over certificate

I, the undersigned .....
(name/first name/position)

acting on behalf of .....

certify the following goods have been taken over:

Product		
Packaging		
Number	of sacks	
	of 'Big Bags'	
Total quantity in tonnes (net) (gross)		
Place and date of take-over		
Name of boat		

Name/address of monitoring agency:

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Name and signature of its on-the-spot representative:

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Observations or remarks:

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Signature and stamp
of transporter

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