COMMISSION REGULATION (EC) No 2693/94

of 4 November 1994

on the transport for the free supply to Georgia, Armenia and Azerbaijan of common wheat flour, olive oil and butter 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] , established the detailed rules applicable to the free supply of agricultural products provided for by Regulation (EC) No 1999/94 ; whereas, it is appropriate to open a tendering procedure for the supply of 10 000 tonnes of common wheat flour, 3 000 tonnes of olive oil and 5 000 tonnes of butter intended for Georgia, Armenia and Azerbaijan ;

Whereas, in view of the present difficulties in these republics and the specific problems of forwarding aid to these regions, it is appropriate to organize the supply of the abovementioned products as a single action, by which the whole of the supply should be awarded to a single tenderer ;

Whereas the relevant Management Committee has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION :

Article 1

1. A tendering procedure is hereby initiated for the supply costs of :

— 3 000 tonnes (net) of olive oil (on pallets with 4 casks of 200 litres each),

— 5 000 tonnes (net) of butter,

— 10 000 tonnes (net) of common wheat flour (Big Bags of 1,60 m × 1,20 m × 0,80 m),

as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Article 2 thereof.

2. The supply costs shall relate to the take-over at the stage laid down in paragraph 3 and transport by the appropriate means to the places of destination and within the time limits indicated in Annex I.

3. (a) The flour (delivery stage FOB, stowed on the boat) intended for Azerbaijan, will be made available for loading in one of the ports of Toulon, Port La Nouvelle or Venice (Porto Marghera) with effect from 18 December 1994.

The port will be definitively designated at the time of the award of the supply.

(b) 3 000 tonnes of olive oil (delivery stage FOB, stowed on the boat) will be made available in the port of Athens (Piraeus) of which :

— 1 000 tonnes with effect from 28 November 1994, intended for Georgia,

— 2 000 tonnes with effect from 28 November 1994, intended for Armenia.

(c) 5 000 tonnes of butter (delivery stage — loading bays of the intervention stores laid down in Annex VI) intended for Georgia, available immediately.

Article 2

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)
Rue de la Loi 120,
B-1049 Brussels.

The closing date for the lodgement of tenders shall be 14 November 1994 at 17.00 hours (Brussels time).

2. The offer shall relate to the supply of the total of the quantities referred to in Article 1 (1).

By way of derogation from Article 6 (1) (d) (1) of Regulation (EC) No 2065/94 the offer must specify the total amounts in ecu required for the total supply (net weight), and the amount in ecu per tonne (gross weight) offered for each destination, from each of the ports in accordance with Annex IV.

Tenderers, where appropriate, shall take account of the unloading and transit prices to Armenia and Azerbaijan, fixed by agreement between the authorities in question, referred to in Annex V.

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

3. Point (c) of Article 12 (1) of Regulation (EC) No 2065/94 is not applicable.

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

5. By way of derogation from Article 8 of Regulation (EC) No 2065/94 the supply security must be lodged three working days before the take-over for each loading.

6. The security referred to in Article 12 (2) of Regulation (EC) No 2065/94 is fixed at ECU 2 300 per tonne of olive oil, ECU 2 800 per tonne of butter and ECU 280 per tonne of flour. These securities are to be lodged in national currency.

7. The securities referred to in paragraphs 4 and 6 shall be lodged in favour of the Commission of the European Communities.

Article 3

The take-over certificate referred to in Article 10 (1) (a) of Regulation (EC) No 2065/94 shall be established at the places and by the authorities referred to in Annex II, on the basis of the model in Annex III.

Article 4

For the payment provided for at Article 13 of Regulation (EC) No 2065/94, the intervention agency of the Member State in which the port of take-over is situated shall deliver a certificate certifying the total removal of the quantities for each destination, upon completion of that operation.

Article 5

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, 4 November 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Georgia :

— 1 000 tonnes of olive oil, port of loading Athens (Piraeus)

— 5 000 tonnes of butter, intervention stores laid down in Annex VI

Delivery stage :

Poti or Batumi (Goods unloaded)

Final delivery date at the port :

21 December 1994 for the olive oil

8 January 1995 for the butter

Armenia :

2 000 tonnes of olive oil — port of loading Athens (Piraeus)

Delivery stage :

Airum via the ports of Poti or Batumi (Goods not unloaded)

Final delivery date at the port :

21 December 1994

Azerbaijan :

10 000 tonnes of common wheat flour — port of loading to be designated at the time of award of the supply

Delivery stage :

Pbieuk-Kesik via the ports of Poti or Batumi (Goods not unloaded)

Final delivery date at the port :

14 January 1995

ANNEX II

(a) Place of take-over in Georgia

1. Port of Poti or Batumi. Goods unloaded.

2. Authority entitled to deliver the take-over certificate :

Ministry of Trade
38007 Tblisi
42 al. Kazbegiav
Mr Zankaliani (Minister of Trade)
(Tel. (78832) 38 96 67).

(b) Place of take-over in Armenia :

1. Airum. Goods not unloaded.

The quantitative and qualitative controls will be carried out at the time of sealing the rail-wagons at Poti or Batumi. The take-over certificate will be issued on arrival at the abovementioned station after verification of the integrity of the seals and the number of wagons.

2. Authority entitled to deliver the take-over certificate :

Ministery of Food and Provision
375010 Yerevan
Dom Pravitelstva
Ploschad Respubliki 1
Mr. Stephanian, Deputy Minister
(Tel. (7-8852) 52 03 21).

(c) Place of take-over in Azerbaijan :

1. Pbieuk-Kesik. Goods not unloaded.

The quantitative and qualitative controls will be carried out at the time of sealing the rail-wagons at Poti or Batumi. The take-over certificate will be issued on arrival at the abovementioned station after verification of the integrity of the seals and the number of wagons.

The wagons which are not in order will be refused by the authorities of Azerbaijan and the unloading charges at Poti or Batumi and the transit charges on Georgian territory will not be paid to the Georgian authorities. They will be deducted from the amount to be paid to the successful tenderer.

2. Authority entitled to deliver the take-over certificate :

Gossudarstvenaya Companija Chleboproductov
370033 BAKU
Ul. Usif Zaade No. 13
Mr. F.R. Mustafaev — President
(Tel. (7-8922) 66 74 51 / 66 38 20).

ANNEX III

PART A

Regulation (EC) No 2693/94

FLOUR

Take-over certificate at the port of Poti/Batumi

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

acting on behalf of .....

certify that the following goods have been taken over:

Product:	Flour
Packaging:	Big-Bag
Total quantity in tonnes (net): (gross):	
Number of Big-Bags	
Place and date of take-over:	
Name of boat:	
Name and address of transport company:	

Name/address of monitoring agency:

.....

.....

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

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.....

Observations or remarks:

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.....

Signature and stamp
of the Georgian authorities

.....

Signature or stamp
of the authorities

.....

PART B

Regulation (EC) No 2693/94

FLOUR

Take-over certificate on the arrival of the rail-wagons

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

acting on behalf of .....

certify that the goods indicated below have been taken over:

Type of product: common wheat flour

Place and date of take-over: .....

Numbers of rail-wagons		Numbers of seals		
Departure	Arrival (signature)	Departure	Arrival signature or remarks (1)	Quantities (1)
1.	.....	.....	.....	.....
2.	.....	.....	.....	.....
3.	.....	.....	.....	.....
4.	.....	.....	.....	.....
5.	.....	.....	.....	.....
6.	.....	.....	.....	.....
7.	.....	.....	.....	.....
8.	.....	.....	.....	.....
9.	.....	.....	.....	.....
10.	.....	.....	.....	.....

(1) If at the arrival at the frontier point the seals are not in order, instead of the signature, 'refused' should be inserted, and the quantities contained in this wagon should be carried forward to the quantities column.

Name and address of the transport company: .....

Name and address of the monitoring agency: .....

Observations and remarks:

.....

Representative of monitoring agency
Name, signature and stamp

.....

.....

Name, signature and stamp of the beneficiary

.....

.....

ANNEX IV

PRESENTATION OF THE OFFER

Departure ports for the flour	Total Price (ECU) all products and destinations (Net weight)	Unitary price — ECU/tonne (Gross weight)			
		Georgia		Armenia	Azerbaijan
		Butter	Olive oil		
Toulon		.....	.....	.....	.....
Port la Nouvelle		ditto	ditto	ditto	.....
Venice (Porto Marghera)		ditto	ditto	ditto	.....

ANNEX V

Transit prices on Georgian territory

ARMENIA

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
		Poti	Batumi	
Grain		US $ 14	US $ 16	US $ 120
— grab	US $ 4			
— vacuvator	US $ 5,5			
General cargo in covered wagons	US $ 6	US $ 14	US $ 16	US $ 120
Thermos wagons	US $ 6	US $ 30	US $ 34	US $ 120

AZERBAIJAN

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
		Poti	Batumi	
Grain		US $ 14,1	US $ 15,5	US $ 120
— grab	US $ 4			
— vacuvator	US $ 5,5			
General cargo in covered wagons	US $ 6	US $ 14,1	US $ 15,5	US $ 120 $
Thermos wagons	US $ 6	US $ 29,8	US $ 32,8	US $ 120

GEORGIA

Produkts	Grain-grab	Grain-vacuvator	General cargo in civered wagons
Discharging cost (per tonne)	US $ 3	US $ 3,5	US $ 5

ANNEX VI

(in tonnes)

Places of storage	Quantity
Asturias	
Fridalsa (Frigoríficos de Alimentacion SA) C/Peña Salón, nº 39, Poligno de Silvota 33192 Llanera tel. (985) 26 27 42	1 000
Frioastur SA Roces s/n - Apartado 427 Gijon (tel. (985) 38 48 00, 38 45 11 ; Fax : (985) 14 12 23)	2 000
Cantabria	
Frigoríficos del depósito franco del puerto de Santander SA Depósito Franco del Puerto, E-39009 Santander (Tel. (942) 21 38 50, 21 38 54, 21 38 58 ; Fax : (942) 22 08 65)	2 000
Address of the intervention agency	
SENPA Beneficencia 8 E-28004 Madrid (Tel. (34 1) 3 47 65 00 ; Fax : (34 1) 5 21 98 32, 5 22 43 87)	