COMMISSION REGULATION (EC) No 459/94
of 28 February 1994
on the supply of vegetable oil 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 recipients 5 092 tonnes of vegetable oil;

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;

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

Vegetable oil shall be mobilized in the Community, as Community food aid for supply to the recipient 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, 28 February 1994.

For the Commission
René STEICHEN
Member of the Commission

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[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

LOT A

1. **Operation Nos** (1): see Annex II
2. **Programme**: 1993
3. **Recipient** (2): World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma (tel. (396) 57 971 ; telex 626675 I WFP)
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** (3) (10): see OJ No C 114, 29. 4. 1991, p. 1 (under III.A (1) (a))
8. **Total quantity**: 1 372 tonnes net
9. **Number of lots**: one
10. **Packaging and marking** (6): see OJ No C 114, 29. 4. 1991, p. 1 (under III.A (2) (1), III.A (2) (3) and III.A (3)) ;
    — five litre metal canister without cardboard cross
    — markings in English (Lots A1, A5 and A6) and in Spanish (Lots A2 to A4)
    — supplementary markings : 'PAM' (Lots A2 to A4) 'WFP' (Lots A1, A5 and A6)
    — additional information : 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**: 11. 4 — 1. 5. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply** (4): tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 15. 3. 1994
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders : 12 noon (Brussels time) on 29. 3. 1994
    (b) period for making the goods available at the port of shipment : 23. 4 — 15. 5. 1994
    (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 12. 4. 1994
    (b) period for making the goods available at the port of shipment : 9 — 29. 5. 1994
    (c) deadline for the supply : —
22. **Amount of the tendering security**: ECU 15 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, rue de la Loi 200, 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**: —

LOTS B, C and D

1. **Operation Nos** (1): see Annex II
2. **Programme**: 1993
3. **Recipient** (2): Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel. (31 70) 33 05 757; telefax 36 41 701; telex 30960 NL EURON)
4. **Representative of the recipien** (11): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** (3) (10): see OJ No C 114, 29. 4. 1991, p. 1 (under III.A (1) (a))
8. **Total quantity**: 2 400 tonnes net
9. **Number of lots**: three (see Annex II)
10. **Packaging and marking** (6) (9): see OJ No C 114, 29. 4. 1991, p. 1 (under III.A (2) (1), III.A (2) (3) and III.A (3))
    — Five litre metal canister without cardboard crosspieces,
    — markings in English (Lots B, C and D 2); Spanish (Lots D 3 to D 6) and Portuguese (Lot D 1)
    — additional information: 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**: 11. 4 — 1. 5. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply** (4): tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 15. 3. 1994
21. A. **In the case of a second invitation to tender**:
    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 29. 3. 1994
    (b) period for making the goods available at the port of shipment: 23. 4 — 15. 5. 1994
    (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 12. 4. 1994
    (b) period for making the goods available at the port of shipment: 9 — 29. 5. 1994
    (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 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, rue de la Loi 200, 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): —

LOT E

1. **Operation No** (1): 1350/93

2. **Programme**: 1993

3. **Recipient** (2): CICR, 19, avenue de la Paix, CH-1202 Genève [tél. (41 22) 734 60 01 ; télex 22269 CH CICR]

4. **Representative of the recipient**: Délégation régionale du CICR, immeuble Les Arcades (7e étage), av. Franchet d'Esperey, Le Plateau 01, BP 459, Abidjan, Côte d'Ivoire (tél. (225) 22 24 59/60/61 ; telefax 22 24 56)

5. **Place or country of destination** (3): Ivory Coast

6. **Product to be mobilized**: refined rape seed oil

7. **Characteristics and quality of the goods**: (3) (10): see OJ No C 114, 29. 4. 1991, p. 1 (under III.A.(1).(a))

8. **Total quantity**: 400 tonnes net

9. **Number of lots**: one

10. **Packaging and marking** (6) (7): see OJ No C 114, 29. 4. 1991, p. 1 (under III.A.(2).(2), III.A.(2).(3) and III.A.(3)):

    — one litre PET bottles, without cardboard crosspieces

    — Markings in French

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**: —

16. **Address of the warehouse and, if appropriate, port of landing**: entrepôt CICR, Man

17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 11. 4 — 1. 5. 1994

18. **Deadline for the supply**: 29. 5. 1994

19. **Procedure for determining the costs of supply** (4): tendering

20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 15. 3. 1994

21. **A. In the case of a second invitation to tender**:

    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 29. 3. 1994

    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 24. 1 — 6. 2. 1994

    (c) deadline for the supply: 23. 4 — 15. 5. 1994

    B. In the case of a third invitation to tender:

    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 12. 4. 1994

    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 9 — 29. 5. 1994

    (c) deadline for the supply: 26. 6. 1994

22. **Amount of the tendering security**: ECU 15 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 ; 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**: —

LOTS F, G and H

1. **Operation Nos** (1): 1232/93 (Lot F), 1242/93 (Lot G) and 1229/93 (Lot H)

2. **Programme**: 1993

3. **Recipient** (2): Fédération internationale des Sociétés de la Croix-Rouge et du Croissant-Rouge, (IFRC), département Approvisionnement et logistique, Case Postale 372, CH-1211 Genève 19 (tel. 730 42 22; telex 41 21 33 LRC CH; telefax 733 03 95)

4. **Representative of the recipient**:

   — Lot F: Cruz Roja Hondureña, 7a Calle, entre 1a y 2a Avenidas-Camayagüela, DC Honduras, Centroamerica, (tel. 37 45 58; telefax: 22 88 76; telex: 1437/cruzrho)

   — Lot G: Ethiopian Red Cross Society, Ras Desta Damtew av., PO Box 195, Addis Ababa, (tel. (25 11) 44 93 64/15 90 74; telefax: 51 26 43; telex: 21338 ecrs et)

   — Lot H: Yemenite Red Crescent Society, Head Office, Building n° 10, 26 September Street, PO Box 1257 SAN'A Republic of Yemen, (tel. 20 31 31/32/33; telefax 20 31 31, telex: 3124 hilal ye)

5. **Place or country of destination** (5): Honduras (Lot F); Ethiopia (Lot G); Yemen (Lot H); Morocco (lot I)

6. **Product to be mobilized**: refined rape seed oil

7. **Characteristics and quality of the goods**: (3) (10) (12): see OJ No C 114, 29. 4. 1991, p. 1 (under III.A (1) (a))

8. **Total quantity**: 825 tonnes net

9. **Number of lots**: three (lot F: 100 tonnes; lot G: 625 tonnes; lot H: 100 tonnes)

10. **Packaging and marking** (6) (7) (8): see OJ No C 114, 29. 4. 1991, p. 1 (under III.A (2) (2) (b), III.A (2) (3) and III.A (3)):

    — five-litre plastic drums, without cardboard crosspieces

    — markings in English (Lots G and H) and Spanish (Lot F)

    — Supplementary markings: 'FICR'

11. **Method of mobilization**: 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**: Puerto Cortés (Lot F); Assab (Lot G); Hodeida (Lot H)

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**: 11. 4 — 11. 5. 1994

18. **Deadline for the supply**: 22. 5. 1994

19. **Procedure for determining the costs of supply** (4): tendering

20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 15. 3. 1994

21. A. **In the case of a second invitation to tender**:

    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 29. 3. 1994

    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 23. 4 — 15. 5. 1994

    (c) deadline for the supply: 5. 5. 1994

    B. **In the case of a third invitation to tender**:

    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 12. 4. 1994

    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 9 — 29. 5. 1994

    (c) deadline for the supply: 19. 6. 1994

22. **Amount of the tendering security**: ECU 15 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**: —

LOTS I and K

1. **Operation Nos** (1): 1189/93 (Lot I) and 1239/93 (Lot K);

2. **Programme**: 1993

3. **Recipient** (2): Fédération internationale des Sociétés de la Croix-Rouge et du Croissant-Rouge, (IFRC), département approvisionnement et logistique, Case Postale 372, CH-1211 Genève 19 (tel. 730 42 22; telex 41 21 33 LRC CH; telefax 733 03 95)

4. **Representative of the recipient**:

   — Lot I: Croix-Rouge burkinabée, BP 340, Ouagadougou (tel. (226) 30 08 77; telefax 36 31 21; telex LSCR 5436 BF Ouagadougou)

   — Lot K: The Guyana Red Cross Society, Eve Leary, PO Box 10524 Georgetown, Guyana (tel. (592-2) 651 74; telefax 675 82; telex FERNA 2226 GY 'For Guyana Red Cross')

5. **Place or country of destination** (5): Burkina-Faso (lot I); Guyana (Lot K); Morocco (lot I)

6. **Product to be mobilized**: refined rape seed oil

7. **Characteristics and quality of the goods**: (3) (10) (12): see OJ No C 114, 29. 4. 1991, p. 1 (under III.A (1) (a))

8. **Total quantity**: 95 tonnes net

9. **Number of lots**: two (Lot I: 45 tonnes; Lot K: 50 tonnes)

10. **Packaging and marking** (6) (7) (8): see OJ No C 114, 29. 4. 1991, p. 1 (under III.A (2) (2) (b), III.A (2) (3) and III.A (3)):

    — five-litre plastic drums, without cardboard crosspieces

    — markings in English (Lot K) and French (Lot I)

    — supplementary markings: 'FICR' (Lot I) and 'IFRC' (Lot K)

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**: —

16. **Address of the warehouse and, if appropriate, port of landing**: entrepôt Croix-Rouge Ouagadougou Zone du Bois, secteur 13 (Lot I) entrepôt Croix-Rouge, Eve Leary, Georgetown (Lot K)

17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 11. 4 — 1. 5. 1994

18. **Deadline for the supply**: 29. 5. 1994

19. **Procedure for determining the costs of supply** (4): tendering

20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 15. 3. 1994

21. A. **In the case of a second invitation to tender**:

    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 29. 3. 1994

    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 23. 4 — 15. 5. 1994

    (c) deadline for the supply: 12. 6. 1994

    B. **In the case of a third invitation to tender**:

    (a) deadline for the submission of tenders: 12 noon (Brussels time) on 12. 4. 1994

    (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 9 — 29. 5. 1994

    (c) deadline for the supply: 26. 6. 1994

22. **Amount of the tendering security** : ECU 15 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 ; 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** : —

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) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.

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

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

(7) Lots E, G, I and K :

Placed in 20-foot containers. The free holding period for containers must be at least 15 days.

(8) Lot F and H :

The cartons shall be stacked on wooden pallets (made of pine, fir or poplar wood) measuring not more than 1 200 × 1 400 mm, and with the following features :

four-way entry, non-reversible, with wings ;

a top deck consisting of a minimum of seven planks measuring 100 mm in width and of a thickness of 22 mm ;

a bottom deck consisting of three planks measuring 100 mm in width and of a thickness of 22 mm ;

three bearers measuring 100 mm in width and of a thickness of 22 mm ;

nine dowels : 100 × 100 × 78 mm minimum ;

the palletized cartons shall be covered by shrink film of a thickness of at least 150 microns ;

the cartons must have reinforced protection consisting of four angles (35 × 35 mm) made of cardboard at least 3 mm thick placed on the four upper edges ;

the whole of the above must be bound, in each direction, by two nylon straps of a width of not less than 15 mm with plastic buckles.

(9) Shipment to take place in 20-foot containers, FCL.FCL. The supplier will 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 will 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 subparagraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer must submit to the recipient's agent a complete packing list of each container, specifying the number as specified in the invitation to tender.

The successful tenderer must seal each container with a numbered locktainer, the number of which is to be provided to the recipient's forwarder.

(10) The successful tenderer shall supply to the beneficiary or its representative, on delivery, a sanitary certificate.

(11) 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.

(12) Lots F ; H and D3 to D6 :

The shipping documents must be authenticated by the diplomatic representative in the exporting country.

Lot I :

They must be sent to the beneficiary's representative immediately after loading.

Lot G :

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.'

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	1 372	A 1: 361	1335/93	Botswana
		A 2: 215	1336/93	Guatemala
		A 3: 150	1337/93	Guatemala
		A 4: 100	1338/93	Nicaragua
		A 5: 100	1339/93	Nepal
		A 6: 446	1341/93	Ouganda
B	990	B 1: 435	1356/93	Eritrea / 93DIA036 / Massawa
		B 2: 120	1357/93	Eritrea / 94LWF003 / Asmara via Massawa
		B 3: 435	1358/93	Eritrea / 93OXB054 / Massawa
C	1 170	C 1: 75	1359/93	Ethiopia / 94CHA001 / Goro Gutu via Assab
		C 2: 75	1360/93	Ethiopia / 94CHA002 / Dire Dawa via Djibouti
		C 3: 30	1361/93	Ethiopia / 94CHA003 / Meetta Chalango via Djibouti
		C 4: 105	1362/93	Ethiopia / 94CON004 / Dessie via Assab
		C 5: 75	1363/93	Ethiopia / 94CON005 / Sike via Assab
		C 6: 810	1364/93	Ethiopia / 93DIA038 / Massawa
D	240	D 1: 45	1365/93	Moçambique / 93DIA031 / Mukumbura via Beira
		D 2: 15	1366/93	Sierra Leone / 93ADI003 / Freetown
		D 3: 15	1367/93	Chile / 93CAG027 / La Serena vía Coquimbo
		D 4: 15	1368/93	Chile / 93CAG028 / Antofagasta
		D 5: 105	1369/93	Chile / 93CAG029 / Concepcion vía Talcahuano
		D 6: 45	1370/93	Chile / 93CAG030 / Santiago vía Valparaiso