COMMISSION REGULATION (EC) No 2582/95

of 3 November 1995

on the transport for the free supply to Azerbaijan and Tajikistan of rye flour

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1975/95 of 4 August 1995 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 2009/95 [2] established the detailed rules applicable to the free supply of agricultural products provided for by Council Regulation (EC) No 1975/95; whereas, it is appropriate to open a tendering procedure for the supply of 13 000 tonnes of rye flour intended for Azerbaijan and Tajikistan;

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 in one lot;

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

1. A tendering procedure is hereby initiated for the supply costs of 13 000 tonnes (net) of rye flour as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2009/95, and in particular Article 2 (1) (b) thereof. The invitation to tender relates to one lot.

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. The flour will be made available for loading, free on board stowed on wagon, during a maximum period of 10 days from the dates indicated in the following manner:

— 9 500 tonnes (net) destined for Tajikistan of which:

  — 3 000 tonnes made available in the station of Braunschweig with effect from 4 December 1995,

  — 3 000 tonnes made available in the station of Braunschweig with effect from 18 December 1995,

  — 3 500 tonnes made available in the station of Bad Langensalza with effect from 11 December 1995;

— 3 500 tonnes (net) destined for Azerbaijan via the port of Trieste made available in the station of Vienna with effect from 4 December 1995.

After the expiry of 10 days following the dates mentioned above, the successful tenderer shall be required to reimburse to the Commission the costs which it will have borne to cover the costs (waiting, insurance, security, guarantees, etc.) referred to at Article 6 (1) (e) (4) of Regulation (EC) No 2009/95.

Article 2

1. In accordance with Article 4 of Regulation (EC) No 2009/95 the offers shall be presented to the following address:

Commission of the European Communities,
EAGGF-Guarantee,
Division VI/G.2 (Office 10/05 or 10/08),
Rue de la Loi/Wetstraat 130,
B-1049 Bruxelles/Brussel.

The closing date for the lodgement of tenders shall be 13 November 1995 at 5 p.m. (Brussels time).

In the case of non-acceptance of offers on 13 November, a second closing date for the lodgement of offers shall be 23 November 1995 at 12 noon (Brussels time).

In this case all of the dates referred to in Article 1 and Annex I shall be carried forward by 10 days.

2. The offer shall relate to the supply of the total of the quantities of a lot referred to in Article 1 (3).

Tenderers, where appropriate, shall take account of the unloading and transit prices referred to in Annex V.

In relation to the transport to Tajikistan, the tenderer must submit a letter of guarantee issued by the port and rail authorities of the country of first entry into the Commonwealth of Independent States (CIS) certifying the

[1] OJ No L 191, 12. 8. 1995, p. 2.
[2] OJ No L 196, 19. 8. 1995, p. 4.

availability of the means of transport as well as the wagons necessary for the proper execution of the operation. Article 12 (2) of Regulation (EC) No 2009/95 is applicable also in the case of non payment to the railway authorities of the different Republics of the CIS crossed.

3. The tendering security referred to in Article 6 (1) (f) of Regulation (EC) No 2009/95 is fixed at ECU 25 per tonne of flour.

4. The security referred to in Article 8 (2) of Regulation (EC) No 2009/95 is fixed at ECU 230 per tonne of flour.

Article 3

The take-over certificate referred to in the second indent of Article 10 (1) (a) of Regulation (EC) No 2009/95 shall be established at the places and by the authorities referred to in Annex II, on the basis of the model in Annex IV and, where applicable, Annex IV (a).

Article 4

For the payment provided for at Article 13 of Regulation (EC) No 2009/95, the designated control agency shall deliver, upon completion of that operation, a certificate certifying the total removal of the quantities for each destination, countersigned by the producer of the flour or his representative, in accordance with the model in Annex III.

Article 5

This Regulation shall enter into force on the third 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, 3 November 1995.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

TAJIKISTAN : 9 500 (net) tonnes of rye flour

Delivery stage :

Goods not unloaded at the frontier points

Final delivery date at the frontier points :

Amusang : 3 000 tonnes by 24 January 1996
Sari-Assia : 3 000 tonnes by 7 February 1996
Bekabad : 3 500 tonnes by 31 January 1996

AZERBAIJAN : 3 500 tonnes (net) of rye flour

Delivery stage :

Beiuk-Kesik via the ports of Poti or Batumi (goods not unloaded)

Final delivery date at the port :

3 500 tonnes by 27 December 1995

ANNEX II

(a) **Place of take-over in Tajikistan** :

1. Frontier points of Sari-Assia, Amusang and Bekabad — goods not unloaded.

   However, for the wagons of which the seals affixed by the representatives of the Commission are not intact at the designated frontier points, the take-over certificate may not be issued until after unloading and the quantitative and qualitative control of the goods to be effected at the first station inside the country at which unloading is possible.

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

   Ministry of Trade and Material Resources
   of the Republic of Tajikistan,
   Dushanbe,
   Ul. Bochtar No 37

(b) **Place of take-over in Azerbaijan** :

1. Beiuk-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.

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

   Gossudarstvenaya Companija Chleboproductov,
   370033 Baku,
   Ul. Usif Zaade No 13,
   Mr F. R. Mamedov — President,
   Tel. (789 22) 66 74 51/66 38 20.

ANNEX III

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CERTIFICATE OF REMOVAL

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

acting on behalf of .....

certify that the following goods have been taken over :

Product	
Packaging	
Total quantity in tonnes (net) (gross)	
No of big-bags	
Place and date of takeover	
Name of boat	
Name and address of transport company	

Name and address of the 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 producer

.....

ANNEX IV

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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	
Packaging	
Total quantity in tonnes (net) (gross)	
No of big-bags	
Place and date of take-over	
Name of boat	
Name and address of transport company	

Name and 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

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Signature and stamp
of the ..... authorities

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ANNEX IV (a)

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Train No .....

TAKE-OVER CERTIFICATE ON THE ARRIVAL OF THE RAIL WAGONS IN THE COUNTRIES OF DESTINATION

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

acting on behalf of .....

certify that the goods indicated below have been taken over:

Type of product: .....

Place and date of takeover: .....

Wagon numbers	Seal numbers	Quantity (net weight)	No of packets	Date frontier crossed	Quantities (1) Signature and remarks
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

(1) To be completed only for the wagons which have been the subject of a check, inserting the weight found.

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 V

Transit prices on Georgian territory

AZERBAIJAN

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
		Poti	Batumi	
Grain		$ 15,1	$ 16,5	$ 120
— grab	$ 4			
— vacuvator	$ 5,5			
General cargo in covered wagons	$ 6	$ 15,1	$ 16,5	$ 120
Thermos wagons	$ 7	$ 30,8	$ 33,8	$ 120

ARMENIA

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
		Poti	Batumi	
Grain		$ 15	$ 17	$ 120
— grab	$ 4			
— vacuvator	$ 5,5			
General cargo in covered wagons	$ 6	$ 15	$ 17	$ 120
Thermos wagons	$ 7	$ 31	$ 35	$ 120

GEORGIA

Products	Grain — grab	Grain — vacuvator	General cargo in covered wagons
Discharging cost per tonne	$ 3	$ 3,5	$ 5