COMMISSION REGULATION (EC) No 1085/98

of 27 May 1998

on the supply of rice as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice [1], as amended by Regulation (EC) No 192/98 [2], and in particular Articles 8(b) and 13(5) thereof,

Having regard to Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security [3], and in particular Article 24(1)(b) thereof,

Whereas Regulation (EC) No 1292/96 lays down the list of countries and organisations eligible for Community aid 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 cereals to certain beneficiaries;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid [4]; whereas it is necessary to specify the time limits and conditions of supply to determine the resultant costs;

Whereas Commission Regulation (EEC) No 2351/91 [5] lays down the detailed rules applicable on the purchase of rice held by public agencies for the supply of food aid;

Whereas, in view of the availability of rice in the Community and the existence of sufficient stocks, such produce should be used to supply, under certain conditions, food aid to North Korea; whereas, also, to ensure the supply for the available appropriations for this operation, provision should be made to derogate from Article 5(1) of Regulation (EEC) No 2351/91, which fixes the purchase price to be paid by the tenderer;

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

Cereals shall be mobilised in the Community, as Community food aid for supply to the recipient listed in Annex I, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annexes.

The 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

By way of derogation from Article 5(1) of Regulation (EEC) No 2351/91, the purchase price to be paid for the rice held by the Greek and Spanish agencies for the supply of Community food aid to North Korea shall be ECU 75/tonne.

Article 3

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, 27 May 1998.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ L 329, 30. 12. 1995, p. 18.
[2] OJ L 20, 27. 1. 1998, p. 16.
[3] OJ L 166, 5. 7. 1996, p. 1.
[4] OJ L 346, 17. 12. 1997, p. 23.
[5] OJ L 214, 2. 8. 1991, p. 51.

ANNEX I

LOTS A, B, C and D

1. **Action Nos:** 8/98 (A); 9/98 (B); 10/98 (C); 11/98 (D)
2. **Beneficiary** (2): North Korea
3. **Beneficiary's representative:** Flood Damage Rehabilitation Committee, PO Box No 44, Pyongyang, Democratic People's Republic of Korea. Contact: Ri Si Hong, Director, (Tel.: (850 2) 382 70 00, fax: 381 46 60, telex: 5350KP/5351KP)
4. **Country of destination:** North Korea
5. **Product to be mobilized** (11): milled rice (product code 1006 30 98 9900)
6. **Total quantity (tonnes net):** 30 000
7. **Number of lots:** four (A: 10 000 tonnes; B: 10 000 tonnes; C: 5 000 tonnes; D: 5 000 tonnes)
8. **Characteristics and quality of the product** (3) (5) (10): see OJ C 114, 29.4.1991, p. 1 (II.A (1) (f))
9. **Packaging** (8): see OJ C 267, 13.9.1996, p. 1 (1.0 A (1) (c), (2) (c) and B (3))
10. **Labelling or marking** (6) (7): see OJ C 114, 29.4.1991, p. 1 (II.A (3))
    — Language to be used for the markings: English and Korean
    — Supplementary markings: 'FOR FREE DISTRIBUTION'
11. **Method of mobilization of the product:** purchase from: see Annex II. The purchased price to be paid for the rice in question shall be ECU 75 per tonne
12. **Specified delivery stage:** free at port of landing — landed (4)
13. **Alternative delivery stage:** free at port of shipment — fob stowed
14. (a) **Port of shipment:** —
    (b) **Loading address:** —
15. **Port of landing:** A and C: Haeju; B and D: Nampo
16. **Place of destination:** —
    — port or warehouse of transit: —
    — overland transport route: —
17. **Period or deadline of supply at the specified stage** (9):
    — first deadline: A and B: 7 — 20.9.1998; C and D: 6.9.1998
    — second deadline: A and B: 21.9 — 4.10.1998; C and D: 20.9.1998
18. **Period or deadline of supply at the alternative stage:**
    — first deadline: A and B: 20.7 — 2.8.1998; C and D: 13 — 26.7.1998
    — second deadline: A and B: 3 — 16.8.1998; C and D: 27.7 — 9.8.1998
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
    — first deadline: 11.6.1998
    — second deadline: 25.6.1998
20. **Amount of tendering guarantee:** ECU 5 per tonne
21. **Address for submission of tenders and tendering guarantees** (1): Bureau de l'aide alimentaire, Attn Mr T. Vestergaard, Bâtiment Loi 130, bureau 7/46, Rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel (telex: 25670 AGREC B; fax: (32 2) 296 70 03 / 296 70 04 (exclusively))
22. **Export refund:** no refunds applicable

Notes:

(1) Supplementary information: André Debongnie (Tel.: (32 2) 295 14 65).
TorbenVestergaard (Tel.: (32 2) 299 30 50).

(2) The supplier shall contact the beneficiary or its representative as soon as possible to establish which consignment documents are required.

(3) The supplier 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) In addition to the provisions of Article 14(3) of Regulation (EC) No 2519/97, vessels chartered shall not appear on any of the four most recent quarterly lists of detained vessels as published by the Paris Memorandum of Understanding on Port State Control (Council Directive 95/21/EC (OJ L 157, 7.7.1995, p. 1)).

(5) The supplier shall supply to the beneficiary or its representative, on delivery, the following document:

— phytosanitary certificate.

(6) Notwithstanding OJ C 114, point II.A (3) (c) is replaced by the following: 'the words "European Community"'.

(7) The marking in Korean must be made as follows on the reverse side of the packaging:

European Community: 구 주 공 동 체

Rice: 쌀

For free distribution: 무 상 배 급 용

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

(9) The final subparagraph of Article 14(14) of Regulation (EC) No 2519/97 applies.

(10) Broken rice: 10 % maximum.

(11) Pursuant to Article 4(3) of Regulation (EC) No 2519/97, the rice to be delivered must be manufactured from goods purchased from the public agencies mentioned in the Annex II.

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II — LIITE II — BILAGA II

Lote Parti Los Παρτίδα Lot Lot Lotto Partij Lote Erä Parti	Cantidad parciales (en toneladas de cáscara) Totalmængde (tons i uafskallet ris) Gesamtmengen (in Tonnen von Rohreis) Συνολική ποσότητα (σε τόνους ρυζιού paddy) Total quantity (in tonnes of paddy rice) Quantité totale (en tonnes de riz paddy) Quantità totale (in tonnellate di risone) Totale hoeveelheid (in ton padie) Quantidade total (em toneladas de arroz *paddy*) Kokonaismäärä (tonnia paddy- eli raakariisiä) Total kvantitet (ton i paddyris)	Cantidades parciales (en toneladas) Delmængde (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) Osittaismäärä (tonnia) Delkvantitet (ton)	Nombre, apellidos y dirección del almacenista Lagerholderens navn og adresse Name und Adresse des Lagerhalters Ονοματεπώνυμο και διεύθυνση του αποθεματοποιητή Name and address of storer Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder Nome e endereço do armazenista Varastoijan nimi ja osoite Lagerhållarens namn och adress	Ritmo horario de carga (en toneladas) Læssekapacitet pr. time (tons) Verladekapazität (in Tonnen) Ωριαίος ρυθμός φορτώσεως (σε τόνους) Hourly loading rate (in tonnes) Rythme horaire de chargement (en tonnes) Ritmo orario di carico (in tonnellate) Laadtempo per uur (in ton) Ritmo de carregamento por hora (em toneladas) Lastausnopeus tunnissa (tonnia) Lastkapacitet per timma (ton)
A	18 000	12 259	Centro de Intervención de Marchena Delegación Provincial de Agricultura 41620 Marchena (Sevilla) Tel. (34) 95 484 39 00	300 8-15h (lun-ven / Mon-Fri)
		4 834	Centro de Intervención del Fega de las Cabezas de San Juan. Delegación Provincial de Agricultura 41730 Las Cabezas de San Juan (Sevilla) Tel. + fax: (34) 95 587 10 55	300 8-15h (lun-ven / Mon-Fri)
		907	Ctra. Maruanas S/N C.P. 14620 El Carpio (Córdoba) Tel.: (34) 95 18 02 19	150 8-15h (lun-ven / Mon-Fri)
B	18 000	16 096	'Omospondia' warehouse of Sindos, Thessaloniki Christoforos Pavlidis Agevee 'Agricultural' Tel.: (30 31) 79 62 84; fax: 79 62 83	300/8h (first 1 300 tons) 120/8h for the rest
		1 904	'Omospondia' warehouse of Epanomi, Thessaloniki M. Kourkouta & Co. Ltd Tel.: (30 392) 423 66; fax: 421 07	350/8h/silo
C	8 500	7 556	'Omospondia' warehouse of N. Halkidona, Thessaloniki Hellenic Cereal Co. Ltd Tel. + fax: (30 391) 237 05/232 05	300/8h/silo
		944	Warehouse of Epanomi - Thessaloniki M. Kourkouta & Co. Ltd Tel.: (30 392) 423 66; fax: 421 07	350/8h/silo
D	8 500	8 500	Warehouse of Croccio - Volos Christoforos Pavlidis Agevee 'Agricultural' Tel.: (30 422) 218 82; 218 85, fax: 219 28	450/8h/silo