COMMISSION REGULATION (EC) No 2371/98

of 30 October 1998

amending Regulation (EC) No 2237/98 on the supply of milk products 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 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security [1], and in particular Article 24(1)(b) thereof,

Whereas Commission Regulation (EC) No 2237/98 [2] issued an invitation to tender for the supply, as food aid, of milk products; whereas some of the conditions specified in the Annex to that Regulation should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 2237/98 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of 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, 30 October 1998.

For the Commission
Franz FISCHLER
Member of the Commission

[1] OJ L 166, 5. 7. 1996, p. 1.
[2] OJ L 281, 17. 10. 1998, p. 11.

ANNEX

LOT A

1. **Action Nos:** 283/97 (A1); 289/97 (A2); 290/97 (A3)
2. **Beneficiary** ([2]): Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland
   tel.: (31-70) 33 05 757; fax: 364 17 01; telex: 30960 EURON NL
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** A1: Democratic Republic of Congo; A2: Niger; A3: Sudan
5. **Product to be mobilised:** vitaminised skimmed-milk powder
6. **Total quantity (tonnes net):** 145
7. **Number of lots:** 1 in 3 parts (A1: 15 tonnes; A2: 60 tonnes; A3: 70 tonnes)
8. **Characteristics and quality of the product** ([3]) ([5]): see OJ C 114, 29.4.1991, p. 1 (I.B(1))
9. **Packaging** ([7]): see OJ C 267, 13.9.1996, p. 1 (6.3.A and B(2))
10. **Labelling or marking** ([6]): see OJ C 114, 29.4.1991, p. 1 (I.B(3))
    — Language to be used for the markings: A1 and A2: French; A3: English
    — Supplementary markings: —
11. **Method of mobilisation of the product:** the Community market
    The manufacture of the skimmed-milk powder, and the incorporation of vitamins, must be carried out after the award of the tender
12. **Specified delivery stage:** free at port of shipment
13. **Alternative delivery stage:** —
14. (a) **Port of shipment:** —
    (b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** —
    — port or warehouse of transit: —
    — overland transport route: —
17. **Period or deadline of supply at the specified stage:**
    — first deadline: From 7 to 27.12.1998
    — second deadline: From 21.12.1998 to 10.1.1999
18. **Period or deadline of supply at the alternative stage:**
    — first deadline: —
    — second deadline: —
19. **Deadline for the submission of tenders (12 noon, Brussels time):**
    — first deadline: 16.11.1998
    — second deadline: 30.11.1998
20. **Amount of tendering guarantee:** ECU 20 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** ([4]): refund applicable on 23.10.1998, fixed by Commission Regulation (EC) No 2218/98 (OJ L 279, 16.10.1998, p. 21)

Notes:

(1) Supplementary information: André Debongnie (tel.: (32 2) 295 14 65)
Torben Vestergaard (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) Commission Regulation (EC) No 259/98 (OJ L 25, 31.1.1998, p. 39), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 22 of this Annex.

The supplier's attention is drawn to the last subparagraph of Article 4(1) of the above Regulation. The photocopy of the export licence shall be sent as soon as the export declaration has been accepted (fax: (32 2) 296 20 05).

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

— health certificate issued by an official entity stating that the product was processed under excellent sanitary conditions which are supervised by qualified technical personnel. The certificate must state the temperature and duration of the pasteurisation, the temperature and duration in the spray-drying-tower and the expiry date for consumption,

— veterinary certificate issued by an official entity stating that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 12 months prior to the processing.

(6) Notwithstanding OJ C 114 of 29.4.1991, point I.A(3)(c) is replaced by the following: 'the words "European Community"'.

(7) Shipment to take place in 20-foot containers, condition FCL/FCL (each containing maximum 15 tonnes net).

The supplier shall be responsible for the cost of making the container available in the stack position at the container terminal at the port of shipment. The beneficiary shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The supplier has to submit to the beneficiary's agent a complete packing list of each container, specifying the number of bags belonging to each action number as specified in the invitation to tender.

The supplier has to seal each container with a numbered locktainer (Oneseal, Sysko, Locktainer 180 or a similar high-security seal) the number of which is to be provided to the beneficiary's representative.