COMMISSION REGULATION (EC) No 190/1999

of 27 January 1999

opening an invitation to tender for the mobilisation of pigmeat on the Community market with a view to its subsequent delivery to Russia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2802/98 of 17 December 1998 on a programme to supply agricultural products to the Russian Federation [1], and in particular Article 4(2) thereof,

Whereas Commission Regulation (EC) No 111/1999 [2] lays down general rules for the application of Regulation (EC) No 2802/98; whereas Article 2(3) of that Regulation lays down that the invitation to tender may cover the determination of the costs of the supply of products to be mobilised on the Community market; whereas the costs of such supply include in particular the price of the product and the costs of packaging and labelling the products to be delivered to the delivery stage laid down in the notice of invitation to tender;

Whereas, for the supply operations decided by Regulation (EC) No 2802/98, these provisions should be applied for the supply of 30 000 tonnes of pigmeat, split into 31 lots;

Whereas, to make a speedy start to this measure and to comply with competition requirements, a limited number of lots should make use of products governed by a contract under Commission Regulation (EC) No 2042/98 of 25 September 1998 on special conditions for the granting of private storage aid for pigmeat [3], as amended by Regulation (EC) No 2619/98 [4], and which are removed from storage either after the contractual storage period or pursuant to Article 9(4) of Commission Regulation (EEC) No 3444/90 of 27 November 1990 laying down detailed rules for granting private storage aid for pigmeat [5], as amended by Regulation (EC) No 3533/93 [6];

Whereas, in addition to the provisions adopted in Regulation (EC) No 111/1999, the specific conditions applying to these supply operations should be laid down, especially as regards quality, packaging and labelling, and provision should be made for the immediate entry into force of this Regulation;

Whereas, pursuant to Article 9(5) of Regulation (EC) No 111/1999, the successful tenderer must undergo any controls requested and conducted by agents designated by the recipient country on Community territory;

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

HAS ADOPTED THIS REGULATION:

Article 1

An invitation to tender is hereby opened to establish the costs of supplying 30 000 tonnes (carcase equivalent) of pigmeat, presenting the characteristics and qualities indicated in Annex I, for delivery as a supply operation covered by Article 2(3) of Regulation (EC) No 111/1999, in accordance with that Regulation and this Regulation.

Article 2

For a given lot, supply shall comprise:

(a) the purchase of the products listed in Annex I, to be mobilised on the Community market and, in the case of fresh products, their processing into frozen products;

(b) the packaging and labelling of the products in accordance with the instructions in Annex I;

(c) the supply of the products at the ex-cold store stage in the Community, at the place indicated by the successful tenderer in his tender, loaded on a means of transport and within the time limit laid down in Annex II.

The tender shall contain the exact place of taking over (cold store) where all the products making up a single lot must be held. This place must be easily accessible for take over by the transporter.

Article 3

The supply of 30 000 tonnes shall be divided into 20 000 tonnes of half-carcases and 10 000 tonnes of fore-ends, split into 31 lots as defined in Annex II.

[1] OJ L 349, 24. 12. 1998, p. 12.
[2] OJ L 14, 19. 1. 1999, p. 3.
[3] OJ L 263, 26. 9. 1998, p. 12.
[4] OJ L 329, 5. 12. 1998, p. 9.
[5] OJ L 333, 30. 11. 1990, p. 22.
[6] OJ L 321, 23. 12. 1993, p. 9.

The first five lots shall consist of products governed by a private storage aid contract under Regulation (EC) No 2042/98. The tenders relating to these lots shall be accompanied by a declaration from the tenderer that the products were governed by private storage contracts.

Article 4

1. The tender established in accordance with Regulation (EC) No 111/1999 shall be lodged with the intervention agency of the Member State in whose territory the place of take over referred to in Article 2 is located, and the address of which is given in Annex III.

2. Tenders relating to half-carcases must specify whether they are with or without head. Tenders that do not include this information will not be entertained.

When sending the tenders to the Commission in accordance with Article 6(1) of Regulation (EC) No 111/1999, the intervention agencies shall indicate separately the tenders relating to the lots of half-carcases with and without head.

3. In the case of lots for the supply of the same quantity of products with the same characteristics, tenders shall be deemed to have been lodged for any one of them.

To allow comparison with the prices of half-carcases without head, a coefficient of 1,045 shall be applied to tenders for half-carcases with head.

4. The time limit for lodging tenders shall expire on 8 February 1999 at 5 p.m. (Brussels time).

Should a lot not be successfully tendered for by the end of this period, tenders may be submitted for a second period expiring on 15 February 1999 at 5 p.m. (Brussels time).

In this case, all the dates in Annex II shall be extended by seven days.

Article 5

1. The tendering security shall be EUR 25/tonne for the half-carcases and the fore-ends.

2. The supply security shall be lodged in accordance with Article 7(3) of Regulation (EC) No 111/1999.

Article 6

Before submitting a tender, the tenderer must acquaint himself with the health and veterinary conditions of the recipient country.

Article 7

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 January 1999.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

1. **Products to be supplied**

ex 0203 21 10 half-carcases with or without head, but without flare fat, foreleg, tail, kidneys or kidney fat, skirt or spinal cord.

The lot must comprise either half-carcases with head or half-carcases without head.

ex 0203 29 11 fore-ends, without foot but with the knuckle, rind and subcutaneous fat.

2. **Characteristic and qualities of the goods**

The products:

— cannot come from the slaughter of breeding sows or boars,

— must comply with Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat ([1]),

— must be of sound, fair and merchantable quality and come from animals reared in the Community of the previous two months at least.

3. **Packaging**

The products shall be individually packaged in polyethylene or polypropylene, suitable for the packaging of foods, which is at least 0,04 mm thick and, in the case of half-carcases, in sufficiently resistant cotton or synthetic stockinettes, so that the products are fully covered by the said packaging. The fore-ends shall be packed in boxes.

4. **Labelling**

Each individual piece of meat shall be visibly marked 'EU-2802/98'.

Where the products have come from the private storage aid scheme, the packages shall carry a label with this same text, placed in such a way that it cannot be disturbed without damaging it.

([1]) OJ 121, 29. 7. 1964, p. 2012/64.

ANNEX II

Description of the lots

Lot No 1: 1 000 tonnes of half-carcases
Lot No 2: 1 000 tonnes of half-carcases
Lot No 3: 1 000 tonnes of half-carcases
Lot No 4: 1 000 tonnes of fore-ends
Lot No 5: 1 000 tonnes of fore-ends

The products in lots 1 to 5 shall have been governed by a contract for private storage aid in accordance with Regulation (EC) No 2042/98; the time limit for delivery shall expire on 7 March 1999.

Lot No 6: 1 500 tonnes of half-carcases
Lot No 7: 1 500 tonnes of half-carcases
Lot No 8: 1 500 tonnes of half-carcases
Lot No 9: 1 500 tonnes of half-carcases
Lot No 10: 1 500 tonnes of half-carcases
Lot No 11: 1 500 tonnes of half-carcases
Lot No 12: 1 000 tonnes of half-carcases
Lot No 13: 1 000 tonnes of half-carcases
Lot No 14: 1 000 tonnes of half-carcases
Lot No 15: 1 000 tonnes of half-carcases
Lot No 16: 1 000 tonnes of half-carcases
Lot No 17: 1 000 tonnes of half-carcases
Lot No 18: 500 tonnes of half-carcases
Lot No 19: 500 tonnes of half-carcases
Lot No 20: 500 tonnes of half-carcases
Lot No 21: 500 tonnes of half-carcases
Lot No 22: 1 000 tonnes of fore-ends
Lot No 23: 1 000 tonnes of fore-ends
Lot No 24: 1 000 tonnes of fore-ends
Lot No 25: 1 000 tonnes of fore-ends
Lot No 26: 1 000 tonnes of fore-ends
Lot No 27: 1 000 tonnes of fore-ends
Lot No 28: 500 tonnes of fore-ends
Lot No 29: 500 tonnes of fore-ends
Lot No 30: 500 tonnes of fore-ends
Lot No 31: 500 tonnes of fore-ends

The time limit for delivering lots 6 to 31 shall expire on 14 March 1999.

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

Direcciones de los organismos de intervención — Interventionsorganernes adresser — Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de intervenção — Interventioelinten osoitteet — Interventionsorganens adresser

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