COMMISSION REGULATION (EC) No 491/2000
of 6 March 2000
on the supply of cereals 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:

(1) The abovementioned Regulation 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.

(2) Following the taking of a number of decisions on the allocation of food aid, the Commission has allocated cereals to certain beneficiaries.

(3) 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 [2]. It is necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

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, 6 March 2000.

For the Commission
Franz FISCHLER
Member of the Commission

[1] OJ L 166, 5.7.1996, p. 1.

[2] OJ L 346, 17.12.1997, p. 23.

ANNEX

LOT A

1. **Action No:** 280/98 (A1); 59/99 (A2)
2. **Beneficiary** ([2])**:** Euronaid, PO Box 12, 2501 CA Den Haag, Nederland; tel. (31-70) 330 57 57; fax 364 17 01; telex 30960 EURON NL
3. **Beneficiary's representative:** to be designated by the recipient
4. **Country of destination:** Eritrea
5. **Product to be mobilised:** common wheat
6. **Total quantity (tonnes net):** 19 968
7. **Number of lots** ([8])**:** 1 in 2 parts (A1: 1 350 tonnes; A2: 18 618 tonnes)
8. **Characteristics and quality of the product** ([3]) ([5]) ([7])**:** see OJ C 114, 29.4.1991, p. 1 (II.A(1)(a))
9. **Packaging:** see OJ C 267, 13.9.1996, p. 1 (1.0, A(1.c and 2.c) and B(2))
10. **Labelling or marking** ([6])**:** see OJ C 114, 29.4.1991, p. 1 (II.A(3))
    — language to be used for the markings: English
    — supplementary markings: —
11. **Method of mobilisation of the product:** the Community market
12. **Specified delivery stage:** free at port of shipment — fob stowed and trimmed ([8])
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: 10-30.4.2000
    — second deadline: 24.4-14.5.2000
18. **Period or deadline of supply at the alternative stage:**
    — first deadline: —
    — second deadline: —
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
    — first deadline: 21.3.2000
    — second deadline: 4.4.2000
20. **Amount of tendering guarantee:** EUR 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** ([4])**:** refund applicable on 17.3.2000, fixed by Commission Regulation (EC) No 439/2000 (OJ L 54, 26.2.2000, p. 25)

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 indicated 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 document:
— phytosanitary certificate.

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

(7) The quantity and quality control will be carried out for every 2 500 tonnes.

(8) The vessel chartered by the recipient (self-trimming bulk carrier) is to be loaded by the supplier free of risk and expense to the vessel at the average rate of 3 500 tonnes per weather working day of 24 consecutive hours. Should this rate not be attained, demurrage shall be paid by the supplier to the Commission at the rate stipulated in the charter party. For working time saved, despatch money shall be paid by the Commission to the successful tenderer at the rate of 50 % of the rate of demurrage stipulated. Laytime to be non-reversible.