

COMMISSION REGULATION (EEC) No 2775/91
of 23 September 1991
on the supply of various consignments of cereals as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1)(c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations 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 to certain countries and beneficiary organizations 110 484 tonnes of cereals;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

Cereals shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

The successful 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, 23 September 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOTS A and B

1. **Operation No** (1): see Annex II
2. **Programme**: 1990 and 1991
3. **Recipient** (2): Euronaid, Rhijngeesterstraatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (3): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** (4) (7): see list published in OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1 a)
8. **Total quantity**: 9 496 tonnes
9. **Number of lots**: two (Lot A: 100 tonnes; Lot B: 9 396 tonnes)
10. **Packaging and marking**: Lot A (4) (11); Lot B (4). See list published in OJ No C 114, 29. 4. 1991, p. 1. Lot A: (under II.A.2.b and II.A.3); Lot B: (under II.A.2.c and II.A.3)
Markings in English and Spanish
Supplementary markings on packaging: see Annex II
11. **Method of mobilization**: the Community market (10)
12. **Stage of supply**: Lot B: free at port of shipment — fob stowed (8); Lot A: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 22. 10. — 22. 11. 1991
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 8. 10. 1991, at 12 noon
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 15. 10. 1991, at 12 noon
 - (b) period for making the goods available at the port of shipment: 29. 10 — 29. 11. 1991
 - (c) deadline for the supply: —
21. **B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 22. 10. 1991, at 12 noon
 - (b) period for making the goods available at the port of shipment: 5. 11 — 6. 12. 1991
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (9): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex 22037 AGREC B or 25670 AGREC B.
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 30. 9. 1991, fixed by Commission Regulation (EEC) No 2592/91 (OJ No L 243 of 31. 8. 1991, p. 11)

LOT C

1. **Operation Nos** ⁽¹⁾: 520/91 and 521/91
2. **Programme**: 1991
3. **Recipient** ⁽²⁾: WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma; telex 626675 WFP I
4. **Representative of the recipient** ⁽³⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: C 1: Pakistan; C 2: Bangladesh
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see list published in OJ No C 114, 29. 4. 1991, p. 1 (under IIA.1.a)
8. **Total quantity**: 58 986 tonnes
9. **Number of lots**: one (two parts: C1: 40 000 tonnes; C 2: 18 986 tonnes)
10. **Packaging and marking**: in bulk
 - C 1: Operation No. 520/91 — 40 000 tonnes — Pakistan;
 - C 2: Operation No 521/91 — 18 986 tonnes — Bangladesh
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment — fob stowed ⁽⁹⁾
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 22. 10. — 22. 11. 1991
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 8. 10. 1991, at 12 noon
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 15. 10. 1991, at 12 noon
 - (b) period for making the goods available at the port of shipment: 29. 10 — 29. 11. 1991
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 22. 10. 1991
 - (b) period for making the goods available at the port of shipment: 5. 11 — 6. 12. 1991
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles; telex 22037 AGREC B or 25670 AGREC B
25. **Refund payable on request by the successful tenderer** ⁽⁹⁾: refund applicable on 30. 9. 1991, fixed by Commission Regulation (EEC) No 2592/91 (OJ No L 243, 31. 8. 1991, p. 11)

LOTS D and E

1. **Operation Nos** (1): see Annex II
2. **Programme**: 1990 and 1991
3. **Recipient** (2): WFP (World Food Programme), via Cristoforo Colombo 426, I-00145 Roma; telex 626675 WFP I
4. **Representative of the recipient** (3): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** (4) (7): see list published in OJ No C 114, 29. 4. 1991, p. 1 (under IIA.1.a)
8. **Total quantity**: 42 002 tonnes
9. **Number of lots**: two (Lot D: 32 185 tonnes; Lot E: 9 817 tonnes) see Annex II
10. **Packaging and marking**:
 - Lot D: in bulk, plus 675 885 Sacks, (OJ No C 114, 29. 4. 1991, p. 1 (under IIA.2.b and IIA.3), and 150 needles and sufficient twine (2 m/sack)
 - Lot E (4): see list published in OJ No C 114, 29. 4. 1991, p. 1 (under IIA.2.b and IIA.3)Markings in English
Supplementary markings on the packaging: see Annex II
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment — fob stowed (5)
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 22. 10 — 22. 11. 1991
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 8. 10. 1991, at 12 noon
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 15. 10. 1991, at 12 noon
 - (b) period for making the goods available at the port of shipment: 29. 10 — 29. 11. 1991
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 22. 10. 1991, at 12 noon
 - (b) period for making the goods available at the port of shipment: 5. 11 — 6. 12. 1991
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (6): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles; telex 22037 AGREC B or 25670 AGREC B
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 30. 9. 1991, fixed by Commission Regulation (EEC) No 2592/91 (OJ No L 243, 31. 8. 1991, p. 11)

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer:
see list published in OJ No C 114, 29. 4. 1991, p. 33.
- (³) The successful tenderer 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) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05,
 - 236 33 04.
- (⁶) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- phytosanitary certificate,
 - certificate of origin.
- (⁸) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (⁹) By way of derogation from Articles 7 (3) (f) and 13 (2) of Regulation (EEC) No 2200/87, the price tendered must include the loading and stowage costs. The loading and stowage operations will be the responsibility of the successful tenderer.
- (¹⁰) The supplier should send a duplicate of the original invoice to: M. De Keyzer and Schütz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.
- (¹¹) Shipment to take place in 20-foot containers, condition FLC/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The provision of Article 13 (2), second subparagraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer has to seal each container with a numbered locktainer, the number of which is to be provided to the beneficiary's forwarder.

The successful tenderer has to submit to the recipient's agent complete a packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.

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

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	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)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
A	100		Prosalus	República Dominicana	Acción nº 1308/90 / República Dominicana / Prosalus / 905519 / Santo Domingo / Destinado a la distribución gratuita
B	9 396	B1: 264	Caritas Germany	Ethiopia	Action No 663/91 / Ethiopia / Caritas Germany / 910421 / Addis Ababa via Assab / For free distribution
		B2: 132	Caritas Germany	Ethiopia	Action No 664/91 / Ethiopia / Caritas Germany / 910422 / Asmara via Massawa/Option Assab / For free distribution
		B3: 6 000	Oxfam UK	Ethiopia	Action No 665/91 / Ethiopia / Oxfam UK / 910906 / Assab / For free distribution
		B4: 3 000	Concern	Ethiopia	Action No 666/91 / Ethiopia / Concern / 915412 / Assab / For free distribution
D	32 185	D1: 24 163	WFP	Ethiopia	Action No 522/91 / Ethiopia 0248802 / Supplied by the World Food Programme / Assab
		D2: 6 000	WFP	Ethiopia	Action No 1366/90 / Ethiopia 0415801 / Supplied by the World Food Programme / Djibouti in transit to Diredawa, Ethiopia
		D3: 2 022	WFP	Ethiopia	Action No 532/91 / Ethiopia 0461900 / Supplied by the World Food Programme / Djibouti in transit to Massawa, Ethiopia
E	9 817	E1: 2 000	WFP	Madagascar	Action No 523/91 / Madagascar 0428500 / Supplied by the World Food Programme / Toamasina
		E2: 2 833	WFP	Madagascar	Action No 524/91 / Madagascar 0428500 / Supplied by the World Food Programme / Toamasina

Designación del lote	Cantidad total del lote (en toneladas)	Cantidades parciales (en toneladas)	Beneficiario	País destinatario	Inscripción en el embalaje
Parti	Totalmængde (tons)	Delmængde (tons)	Modtager	Modtagerland	Emballagens påtegning
Bezeichnung der Partie	Gesamtmenge der Partie (in Tonnen)	Teilmengen (in Tonnen)	Empfänger	Bestimmungsland	Aufschrift auf der Verpackung
Χαρακτηρισμός της παρτίδας	Συνολική ποσότητα της παρτίδας (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δικαιούχος	Χώρα προορισμού	Ένδειξη επί της συσκευασίας
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Beneficiary	Recipient country	Markings on the packaging
Désignation du lot	Quantité totale du lot (en tonnes)	Quantités partielles (en tonnes)	Bénéficiaire	Pays destinataire	Inscription sur l'emballage
Designazione della partita	Quantità totale della partita (in tonnellate)	Quantitativi parziali (in tonnellate)	Beneficiario	Paese destinatario	Iscrizione sull'imballaggio
Aanduiding van de partij	Totale hoeveelheid van de partij (in ton)	Deelhoeveelheden (in ton)	Begunstigde	Bestemmingsland	Aanduiding op de verpakking
Designação do lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Beneficiário	País destinatário	Inscrição na embalagem
		E3 : 33	WFP	Madagascar	Action No 525/91 / Madagascar 0428500 / Supplied by the World Food Programme / Toamasina
		E4 : 500	WFP	Yemen	Action No 526/91 / Yemen 0226502 / Supplied by the World Food Programme / Aden
		E5 : 3 000	WFP	Yemen	Action No 527/91 / Yemen 0344200 / Supplied by the World Food Programme / Aden
		E6 : 1 451	WFP	Mauritania	Action No 528/91 / Mauritania 0005506 / Supplied by the World Food Programme / Nouakchott