

COMMISSION REGULATION (EC) No 1407/94
of 20 June 1994
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 (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 beneficiaries 16 529 tonnes of cereals;

Whereas it is necessary to make these supplies 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,

HAS ADOPTED THIS REGULATION:

Article 1

Cereals shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annexes, 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, 20 June 1994.

For the Commission

René STEICHEN

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, B and C

1. **Operation Nos** ⁽¹⁾: See Annex II
2. **Programme**: 1993 and 1994
3. **Recipient** ⁽²⁾: Euronaid PO Box 12, NL-2501 CA Den Haag (tel. (31 70) 330 57 57; fax: 364 17 01; telex: 30960 NL EURON)
4. **Representative of the recipient** ⁽¹⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: milled rice (product code 1006 30 92 900, 1006 30 94 900, 1006 30 96 900)
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁶⁾ ⁽¹²⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIA.1 (f))
8. **Total quantity**: 4 487 tonnes (10 769 tonnes of cereals)
9. **Number of lots**: 3; see Annex II
10. **Packaging and marking** ⁽⁷⁾ ⁽⁸⁾ ⁽¹⁰⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIA (2) (c) and IIA.3)
Markings in French (A2 + A3 + C6); English (C1-C5); Spanish (A1 + B2 - B4) and Portuguese (B1)
11. **Method of mobilization**: the Community market
12. **Stage of supply**: 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**: 25. 7 — 7. 8. 1994
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**: 12 noon (Brussels time) on 5. 7. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 19. 7. 1994
 - (b) period for making the goods available at the port of shipment: 8 — 21. 8. 1994
 - (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 and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 / 25670 AGREC B; fax: (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** ⁽⁴⁾: refund applicable on 30. 6. 1994, fixed by Commission Regulation (EC) No 1207/94 (OJ No L 133, 28. 5. 1994, p. 22)

LOT D

1. **Operations No** (1): 1519/93
2. **Programme**: 1993
3. **Recipient** (2): CICR, 19, avenue de la Paix, CH-1202 Genève; tel. (41-22) 734 60 01; fax: 733 94 60; telex 22269 CH CICR.
4. **Representative of the recipient**: Délégation régionale du CICR, Immeuble Les Arcades (7^e étage), av. Franchet d'Esperey — Le Plateau 01, BP 459, Abidjan, Côte d'Ivoire, tél. (225) 22 24 59/60/61; fax 22 24 56
5. **Place or country of destination** (3): Ivory Coast
6. **Product to be mobilized**: milled rice (product code 1006 30 92 900, 1006 30 94 900 or 1006 30 96 900)
7. **Characteristics and quality of the goods** (3) (4): see OJ No C 114, 29. 4. 1991, p. 1 (under IIA 1 (f))
8. **Total quantity**: 2 400 tonnes (5 760 tonnes of cereals)
9. **Number of lots**: 1
10. **Packaging and marking** (5) (6) (10): see OJ No C 114, 29. 4. 1991, p. 1 (under II. A (2) (a) and IIA (3))
Markings in French
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: San Pedro
16. **Address of the warehouse and, if appropriate, port of landing**:
Entrepôt CICR Man, délégation CICR, Man, Côte d'Ivoire; tel. (225) 79 06 45; telefax 79 00 53.
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 25. 7 — 7. 8. 1994
18. **Deadline for the supply**: 11. 9. 1994
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 5. 7. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 19. 7. 1994
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 8 — 21. 8. 1994
 - (c) deadline for the supply: 25. 9. 1994
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 and tendering securities** (7): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, Bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 AGREC B/25670 AGREC B telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** (8): Refund applicable on 30. 6. 1994, fixed by Commission Regulation (EC) No 1207/94 (OJ No L 133, 28. 5. 1994, p. 22.)

Notes:

- (1) The operation number should be mentioned in all correspondence.
- (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (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) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
- The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as amended by Regulation (EC) No 547/94 (OJ No L 69, 12. 3. 1994, p. 1.), shall not apply to this amount.
- (5) Commission delegation to be contacted by the successful tenderer: see OJ No C 114, 29. 4. 1991, p. 33.
- (6) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- phytosanitary certificate.
 - carnation certificate (lot D).
- (7) Shipment to take place in 20-foot containers condition FCL/FCL. The supplier shall be responsible for the cost of making the containers available in the stock 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 provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- The successful tenderer has to submit to the recipient's agent a complete packaging list of each container, specifying the number of bags belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer (SYSKO locktainer 180 seal), the number of which is to be provided to the beneficiary's forwarder.
- (8) 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'.
- (9) Bagging must be carried out before shipment.
- (10) Notwithstanding OJ No C 114, point II.A.3 (c) is replaced by the following: 'the words "European Community"'.
- (11) The supplier should send a duplicate of the original invoice to: Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.
- (12) The following documents must be legalized by the diplomatic representation in the country of origin of the goods:
- radioactivity certificate (A 1),
 - certificate of origin (A 1).

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

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción nº		País de destino
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.		Bestemmelsesland
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.		Bestimmungsland
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.		Χώρα προορισμού
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No		Country of destination
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action nº		Pays de destination
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.		Paese di destinazione
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.		Land van bestemming
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Acção nº		País de destino
A	1 328	A1 : 540	1640/93		Nicaragua
		A2 : 558	327/94		Haití
		A3 : 230	328/94		Haití
B	1 152	B1 : 18	329/94		Brasil
		B2 : 630	330/94		Perú
		B3 : 270	331/94		Perú
		B4 : 234	332/94		Perú
C	2 007	C1 : 684	1648/93		India
		C2 : 306	1649/93		India
		C3 : 180	1650/93		India
		C4 : 54	1651/93		India
		C5 : 288	359/94		India
		C6 : 495	360/94		Madagascar