

COMMISSION REGULATION (EEC) No 308/90
of 5 February 1990
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 1750/89 ⁽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 55 154 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⁾; 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 recipients 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.

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, 5 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I**LOT A**

1. **Operation No** ⁽¹⁾: 779/89 — 786/89
2. **Programme**: 1989
3. **Recipient**: Euronaid, Rhijngeesterstraatweg 40, PO. Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** ⁽²⁾: 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 codes 1006 30 94 900 or 1006 30 96 900)
7. **Characteristics and quality of the goods** ⁽³⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.10)
8. **Total quantity**: 1 050 tonnes (2 520 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁵⁾ ⁽⁶⁾ ⁽⁷⁾ ⁽⁸⁾ ⁽¹⁰⁾ ⁽¹¹⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (c))
Marking on the bags in letters at least 5 cm high: see Annex II
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**: 15. 3. to 15. 4. 1990
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**: 20. 2. 1990 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 6. 3. 1990 at 12 noon
 - (b) period for making the goods available at the port of shipment: 1. 4. to 30. 4. 1990
 - (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** ⁽⁴⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Brussels; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** ⁽⁹⁾: refund applicable on 25. 1. 1990, fixed by Commission Regulation (EEC) No 3929/89 (OJ No L 375, 23. 12. 1989, p. 76)

LOTS B, C

1. **Operation No** (1): 787/89 — 794/89
2. **Programme**: 1989
3. **Recipient**: Euronaid, Rhijngesterstraatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (2): 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 codes 1006 30 94 900 or 1006 30 96 900)
7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.10)
8. **Total quantity**: 5 264 tonnes (12 634 tonnes of cereals)
9. **Number of lots**: two (Lot B: 2 384 tonnes; Lot C: 2 880 tonnes)
10. **Packaging and marking** (4) (6) (7) (8) (11): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (c))
Marking on the bags in letters at least 5 cm high: see Annex II
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**: 15. 3. to 15. 4. 1990
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**: 20. 2. 1990 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 6. 3. 1990 at 12 noon
 - (b) period for making the goods available at the port of shipment: 1. 4. to 30. 4. 1990
 - (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** (5): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Brussels; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (9): refund applicable on 25. 1. 1990, fixed by Commission Regulation (EEC) No 3929/89 (OJ No L 375, 23. 12. 1989, p. 76)

LOT D

1. **Operation No** (1): 18/90
2. **Programme**: 1989
3. **Recipient**: Sri Lanka (Chairman of the Cooperative Wholesale Establishment)
4. **Representative of the recipient** (2): Mr Ariyaratne, Embassy of Sri Lanka, avenue des Arts 21-22, B-1040 Bruxelles, tel. 230 48 90; Sri-Lanka: Cooperative Wholesale Establishment, telex 21141 SATHOSA CE
5. **Place or country of destination**: Sri Lanka
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1); specific characteristics: moisture content: 13,5 % maximum
8. **Total quantity**: 20 000
9. **Number of lots**: one
10. **Packaging and marking**: in bulk
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Trincomalee
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15. 3. to 31. 3. 1990
18. **Deadline for the supply**: 15. 5. 1990
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 20. 2. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 6. 3. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 20. 3. to 5. 4. 1990
 - (c) deadline for the supply: 15. 5. 1990
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** (4): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (5): refund applicable on 29. 1. 1990, fixed by Regulation (EEC) No 3929/89 (OJ No L 375, 23. 12. 1989, p. 76).

LOTS E and F

1. **Operation No (1):** 27/90 and 28/90
2. **Programme:** 1989
3. **Recipient:** Ethiopia
4. **Representative of the recipient (2) (Europe):** Ambassade de l'Ethiopie, Bd. St. Michel 32, B-1040 Bruxelles, telex 62285 ETH BRU B. (Ethiopia): Ministry of Agriculture, Soil and Water Conservation Department, PO Box 62347, Addis Ababa, tel: 44 80 40
5. **Place or country of destination:** Ethiopia
6. **Product to be mobilized:** common wheat
7. **Characteristics and quality of the goods (3):**
See list published in OJ No C 216, 14. 8. 1987, p. 3 (under II. A.1).
8. **Total quantity:** 20 000 tonnes
9. **Number of lots:** two (E: 10 000 tonnes, F: 10 000 tonnes)
10. **Packaging:** in bulk, plus, for each lot
 - 210 000 new woven-polypropylene bags for food use, weighing not less than 120 grams, which have been specially treated against the effects of ultraviolet light and 100 needles and sufficient twine (4);
 - marking on the bags, in letters at least 5 cm high, the month and the year of shipment, followed by:
 - Lot E: 'ACTION No 27/90 / WHEAT / FOOD AID OF THE EUROPEAN ECONOMIC COMMUNITY TO THE PEOPLE OF ETHIOPIA'
 - Lot F: 'ACTION No 28/90 / WHEAT / FOOD AID OF THE EUROPEAN ECONOMIC COMMUNITY TO THE PEOPLE OF ETHIOPIA'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing (15) — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** Massawa (13)
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** lot E: 15. to 31. 3. 1990; lot F: 15. to 30. 4. 1990
18. **Deadline for the supply (12):** lot E: between 20 and 30. 4. 1990; lot F: between 20 and 31. 5. 1990.
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 12 noon on 20. 2. 1990
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 27. 2. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: lot E: 15. to 31. 3. 1990; lot F: 15. to 30. 4. 1990
 - (c) deadline for the supply (12): lot E: between 20 and 30. 4. 1990; lot F: between 20 and 31. 5. 1990
22. **Amount of the tendering security:** ECU 5 per tonne.
23. **Amount of the delivery security:** 10 % of the amount of the tender in ECU
24. **Address for submission of tenders (4)**
Bureau de l'aide alimentaire, à l'attention de Monsieur N, Arend bâtiment Berlaymont, bureau 6/73, 200, rue de la Loi, B-1049 Bruxelles, telex: AGREC 22037 B or 25670 B.
25. **Refund payable on request by the successful tenderer (6):** refund applicable on 25. 1. 1990, fixed by Commission Regulation (EEC) No 3929/89 (OJ No L 375, 23. 12. 1989, p. 76).

Notes :

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to be contacted by the successful tenderer :
— Lots A, B and C : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4,
— Lot D : Mr Houlston, YMCA, Cultural Centre Building, Jai Singh Road, New Dehli 1 ; tel. 34 42 22, 35 04 30, telex 3161315,
— Lots E and F : M. Haffner, PO Box 5570, Addis Ababa, telex 21135 DELEGEUR, Addis Ababa.
- (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 levels.
- (4) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the 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 the Annex,
— or by telecopier on one of the following numbers in Brussels :
235 01 32
236 10 97
235 01 30
236 20 05
- (5) The successful tenderer shall give the beneficiaries' representatives a health certificate at the time of delivery.
- (6) The successful tenderer shall give the beneficiaries' representatives a certificate of origin at the time of delivery.
- (7) 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.
- (8) 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, 24. 7. 1989, p. 10) 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 the Annex.
- (9) 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'.
- (10) The successful tenderer has to submit to the recipient's agent a complete packing 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, the number of which is to be provided to the beneficiary's forwarder.
Shipment to take place in 20-foot containers, conditions FCL/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position of 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 the second subparagraph of Article 13 (2) of Regulation (EEC) No 2200/87 shall not apply.
- (11) The supplier should send a duplicate of the original invoice to :
MM De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.
- (12) The risks and costs incurred by a failure to comply with the delivery period laid down for each lot are to be borne by the successful tenderer.
- (13) The port of Massawa can only accommodate ships with a maximum draught of 28 feet and a maximum length of 180 metres.
- (14) The cost of bagging of the goods is borne by the successful tenderer.
- (15) The following should be included in the charter party: 'Food-aid consignment from the European Economic Community : since the freight charges do not include coordination or supervision costs, the US \$ 1,50 tax normally paid must not be applied in the case of this ship.'

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	1 050	140	Caritas Spain	Ecuador	Acción N° 779/89 / Arroz / 96005 / Quito vía Guayaquil / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		60	Oxfam B	República Dominicana	Acción N° 780/89 / Arroz / 90835 / Santo Domingo / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		280	Caritas I	Ghana	Action No 781/89 / Rice / 90654 / Accra via Tema / Gift of the European Economic Community / For free distribution
		120	Caritas N	Angola	Acção N° 782/89 / Arroz / 90325 / Lobito / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		120	Caritas N	Angola	Acção N° 783/89 / Arroz / 90326 / Luanda / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		90	Caritas N	Angola	Acção N° 784/89 / Arroz / 90327 / Namibe / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		200	Caritas B	Zaire	Action No 785/89 / Riz / 90273 / Kinshasa via Matadi / Don de la Communauté économique européenne / Pour distribution gratuite
		40	Caritas I	Somalia	Action No 786/89 / Rice / 90640 / Mogadishu / Gift of the European Economic Community / For free distribution

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 påtegnig 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
B	2 384	20	OPEM (AFSE)	Brasil	Acção N° 787/89 / Arroz / 94212 / Belém / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		144	CRS	El Salvador	Acción N° 788/89 / Arroz / 90135 / San Salvador vía Acajutla / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		600	Oxfam B	Nicaragua	Acción N° 789/89 / Arroz / 90841 / Corinto / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		320	DIA	Nicaragua	Acción N° 790/89 / Arroz / 91131 / Managua vía Corinto / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		1 300	SOSO	Nicaragua	Acción N° 791/89 / Arroz / 93906 / Managua vía Corinto / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
C	2 880	960	Caritas B	Algérie	Action N° 792/89 / Riz / 90289 / Alger / Don de la Communauté économique européenne / Pour distribution gratuite
		960	WCC	Algérie	Action N° 793/89 / Riz / 90717 / Tindouf via Alger / Don de la Communauté économique européenne / Pour distribution gratuite
		960	Oxfam B	Algérie	Action N° 794/89 / Riz / 90827 / Tindouf via Alger / Don de la Communauté économique européenne / Pour distribution gratuite