

COMMISSION REGULATION (EEC) No 934/90
of 10 April 1990
on the supply of whole milk powder 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 the Republic of Cape Verde 300 tonnes of whole milk powder to be supplied;

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

Milk products 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, 10 April 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

LOTS A and B

1. **Operations No** (1): 154/90 and 170/90 : Commission Decision of 15. 4. 1987
2. **Programme** : 1989
3. **Recipient** : Republic of Cape Verde
4. **Representative of the recipient** (2) : Empresa Pública de Abastecimento (EMPA) ; Praia : CP 104, Tel. 249305, Telex : 54 EMPA CV ; Mindelo : CP 148, Tel. 2369/2781, telegrams : EMPA-S. Vicente
5. **Place or country of destination** : Republic of Cape Verde
6. **Product to be mobilized** : whole milk powder
7. **Characteristics and quality of the goods** : (3) (4)
8. **Total quantity** : 300 tonnes
9. **Number of lots** : two (lot A : 150 tonnes, lot B : 150 tonnes)
10. **Packaging and marking** : 25 kg and OJ No C 216, 14. 8. 1987, p. 4 and 5, I.1.B.4 and I.1.B.4.2.
Supplementary marking on packaging (5) : see Annex II and OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5)
11. **Method of mobilization of product** : Community market.
The manufacture of the whole milk powder must be carried out after the award of the tender
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** : Parts A 1 and B 1 : Praia ; Parts A 2 and B 2 : Mindelo
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 A : 10 to 15. 5. 1990 ; lot B : from 10 to 15. 6. 1990
18. **Deadline for the supply** : Lot A : 15. 6. 1990
Lot B : 15. 7. 1990
19. **Procedure for determining the costs of supply** : invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** (6) : 12 noon on 30. 4. 1990
21. **In the case of a second invitation to tender** :
 - (a) deadline for the submission of tenders : 12 noon on 14. 5. 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 A : 14 to 29. 5. 1990
Lot B : 14 to 29. 6. 1990
 - (c) deadline for the supply :
Lot A : 29. 6. 1990
Lot B : 29. 7. 1990
22. **Amount of tendering security** : ECU 20 per tonne
23. **Amount of delivery security** : 10 % of the tender in ecus
24. **Address for submission of tenders** :
Bureau de l'aide alimentaire,
Attention de Mr 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 application by the successful tenderer** (7) : refund applicable on 16. 3. 1990, fixed by Commission Regulation (EEC) No 623/90 (OJ No L 69, 16. 3. 1990, p. 25)

Notes:

- (1) The operation number is to be quoted in all correspondence.
- (2) At the request of the beneficiary the successful tenderer shall deliver 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.
- (3) Commission delegate to be contacted by the successful tenderer:
Mr Meloni, Prédio, 'Galerias', 4º andar, apartamento D, CP122/Praia, Republic of Cape Verde; Tel: 61 37 50, Telex: 6071 DELCE CV.
- (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:
- 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) 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 Annexes.
- (6) The whole milk powder with 26 % minimum fat content must be obtained by the spray method and must be manufactured not before the period of 30 days preceeding the date for making the goods available at the port of shipment. The quality must be extra grade and the milk powder must have the following characteristics:
- | | |
|---|---|
| (a) fat content : | 26,0 % minimum |
| (b) water content : | 2,5 % maximum |
| (c) titratable acidity (in solids, / non-fat): ADMI | |
| — as ml of decinormal sodium hydroxide solution : | 3,0 % maximum |
| — as lactic acid : | 0,15 % maximum |
| (d) lactate content (in solids, / non-fat): | 150 mg/100 g maximum |
| (e) additives : | none |
| (f) phosphatase test : | negative, i.e. not more than 4 µg of phenol per g of reconstituted milk |
| (g) solubility index : | 0,5 ml maximum |
| (h) burnt : | 15,0 mg maximum, i.e. at least disc B |
| (i) micro-organism content : | 50 000 per g maximum |
| (k) coliform test : | negative in 0,1 g |
| (l) buttermilk test : | negative |
| (m) whey test : | negative |
| (n) odour and flavour : | clean |
| (o) appearances : | white colour or slightly yellow ; absence of impurities and coloured patches. |
- (7) These inscriptions must also be on each of the 1 000 gram bags.

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

Designación de la partida	Cantidad total de la partida (en toneladas)	Cantidades parciales (en toneladas)	Beneficiario	País destinatario	Acción n°	Inscripción en el embalaje
Parti	Totalmængde (i tons)	Delmængde (i tons)	Modtager	Modtagerland	Aktion nr.	Emballagens påtegning
Bezeichnung der Partie	Gesamtmenge der Partie (in Tonnen)	Teilmengen (in Tonnen)	Empfänger	Bestimmungsland	Maßnahmen Nr.	Aufschrift auf der Verpackung
Χαρακτηρισμός της παρτίδας	Συνολική ποσότητα της παρτίδας (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δικαιούχος	Χώρα προορισμού	Δράση αριθ.	Ένδειξη επί της συσκευασίας
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Beneficiary	Recipient country	Operation No	Markings on the packaging
Désignation de la partie	Quantité totale de la partie (en tonnes)	Quantités partielles (en tonnes)	Bénéficiaire	Pays destinataire	Action n°	Inscription sur l'emballage
Designazione della partita	Quantità totale della partita (in tonnellate)	Quantitativi parziali (in tonnellate)	Beneficiario	Paese destinatario	Azione n.	Iscrizione sull'imballaggio
Aanduiding van de partij	Totale hoeveelheid van de partij (in ton)	Deelhoeveelheden (in ton)	Begunstigde	Bestemmingsland	Maatregel nr.	Aanduiding op de verpakking
Designação da parte	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Beneficiário	País destinatário	Acção n°	Inscrição na embalagem
A	150	A1 : 100	República de Cabo Verde	Cabo Verde	154/90	Acção n° 154/90 / Leite inteiro / Donativo da Comunidade Económica Europeia à República de Cabo Verde
		A2 : 50				
B	150	B1 : 100	República de Cabo Verde	Cabo Verde	170/90	Acção n° 170/90 / Leite inteiro / Donativo da Comunidade Económica Europeia à República de Cabo Verde
		B2 : 50				