COMMISSION REGULATION (EC) No 449/96

of 12 March 1996

on the transport for the free supply to Armenia and Azerbaijan of fruit juice, fruit jams and common wheat flour

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1975/95 of 4 August 1995 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan [1], and in particular Article 4 thereof,

Whereas Commission Regulation (EC) No 2009/95 [2], established the detailed rules applicable to the free supply of agricultural products provided for by Regulation (EC) No 1975/95; whereas it is appropriate to open a tendering procedure for the supply of 2 000 tonnes of fruit juice, 1 000 tonnes of fruit jams and 800 tonnes of common wheat flour intended for Armenia and Azerbaijan;

Whereas, in view of the present difficulties in these republics and the specific problems of forwarding aid to these regions, it is appropriate to organize the supply of the abovementioned products in one lot;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committee,

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby initiated for the supply costs of 2 000 tonnes (net) of fruit juice, 1 000 tonnes (net) of fruit jams and 800 tonnes (net) of common wheat flour as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2009/95, and in particular Article 2 (1) (b) thereof. The invitation to tender relates to one lot.

2. The supply costs shall relate to the takeover at the stage laid down in paragraph 3 and transport by the appropriate means to the places of destination and within the time limits indicated in Annex I.

For the fruit juice and fruit jams a description of the packaging of the products can be found in Annex I of Commission Regulation (EC) No 228/96 [3]. The tenderer is responsible for informing himself from the manufacturers of the products, on the technical details of the materials employed and their stowage possibilities, particularly for stacking. The flour will be packed in jute/polypropylene sacks of 50 kilograms (net) per sack.

The coordinates of the manufacturers are available at the address referred to in Article 2 (1) of this Regulation (fax: (32 2) 29 66 446)

3. The products will be made available for loading, free on board, stowed on the ship, for a maximum period of five days from the dates indicated in the following manner:

— 500 tonnes (net) of fruit juice made available in the port of Ravenna with effect from 10 April 1996,

— 1 500 tonnes (net) of fruit juice made available in the port of Ravenna with effect from 20 April 1996,

— 500 tonnes (net) of fruit jams made available in the port of Ravenna with effect from 10 April 1996,

— 800 tonnes (net) of common wheat flour made available in a Mediterranean port with effect from 10 April 1996,

— 500 tonnes (net) of fruit jams made available in the port of Ravenna with effect from 20 April 1996.

After the expiry of five days following the dates mentioned above, the successful tenderer shall be required to reimburse to the Commission the costs which it will have borne to cover all the costs (waiting, insurance, security, guarantees, etc.) referred to in Article 6 (1) (e) (4) of Regulation (EC) No 2009/95.

Article 2

1. In accordance with Article 4 of Regulation (EC) No 2009/95 the offers shall be submitted to the following address:

European Commission
EAGGF-Guarantee section
Division VI/G.2 (Office 10/05 or 10/08)
Rue de la Loi 130
B-1049 Brussels.

The closing date for the lodgement of tenders shall be 21 March 1996 at 5 p.m. (Brussels time).

In the case of non-acceptance of offers on 21 March, a second closing date for the lodgement of offers shall be 27 March 1996 at 12 noon (Brussels time).

[1] OJ No L 191, 12. 8. 1995, p. 2.
[2] OJ No L 196, 19. 8. 1995, p. 4.
[3] OJ No L 30, 8. 2. 1996, p. 18.

2. The offer shall relate to the supply of the total of the quantities of the lot referred to in Article 1 (3)

Tenderers, where appropriate, shall take account of the unloading and transit prices referred to in Annex V.

For the fruit juice and fruit jams, an additional offer providing, for the provision of containers at the manufacturers' premises and their transport is also sought (2 000 tonnes of fruit juice available at Castiglione delle Stiviere and 1 000 tonnes of jam at Pievesistina).

3. The tendering security referred to in Article 6 (1) (f) of Regulation (EC) No 2009/95 is fixed at ECU 25 per tonne net of product.

4. The security referred to in Article 8 (2) of Regulation (EC) No 2009/95 is fixed at ECU 350 per tonne net of product.

Article 3

The takeover certificate referred to in the second indent of Article 10 (1) (a) of Regulation (EC) No 2009/95 shall be established at the places and by the authorities referred to in Annex II, on the basis of the model in Annex IV and, where applicable, Annex IV (a).

Article 4

For the payment provided for in Article 13 of Regulation (EC) No 2009/95, the designated control agency shall deliver, on completion of that operation, a certificate certifying the total removal of the quantities for each destination, countersigned by the producer of the product or his representative, in accordance with the model in Annex III.

Article 5

This Regulation shall enter into force on the third 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, 12 March 1996.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Lot

— 500 tonnes (net) of apple juice
— 500 tonnes (net) of orange juice
— 500 tonnes (net) of concentrated apple juice
— 500 tonnes (net) of concentrated orange juice
— 1 000 tonnes (net) of fruit jams
— 800 tonnes (net) of common wheat flour

AZERBAIJAN: 50 % of each quantity of fruit juice and fruit jams plus 800 tonnes of common wheat flour

Delivery stage:

Beiuk-Kesik via the ports of Poti or Batumi (goods not unloaded)

Final delivery date at the port:

29 April 1996 for the quantities available on 10 April 1996 and 9 May 1996 for the other quantities

ARMENIA: 50 % of each quantity of fruit juice and fruit jams

Delivery stage:

Airum via the ports of Poti or Batumi (goods not unloaded)

Final delivery date at the port:

29 April 1996 for the quantities available on 10 April 1996 and 9 May 1996 for the other quantities

The choice of the port of Poti or Batumi shall be managed by the Commission in accordance with the availability of quays.

ANNEX II

(a) **Place of takeover in Armenia:**

1. *Airum — Goods not unloaded*

The quantitative and qualitative controls will be carried out at the time of sealing the railwagons at Poti or Batumi. The takeover certficiate will be issued on arrival at the abovementioned station after verification of the integrity of the seals and the number of wagons.

2. *Authority entitled to deliver the take over certificate:*

Ministry of Agriculture and Food
375010 Yerevan
Dom Pravitelstva
Ploschad Respubliki 1.

(b) **Place of takeover in Azerbaijan:**

1. *Beiuk-Kesik — Goods not unloaded*

The quantitative and qualitative controls will be carried out at the time of sealing the railwagons at Poti or Batumi. The takeover certificate will be issued on arrival at the abovementioned station after verification of the integrity of the seals and the number of wagons.

2. *Authority entitled to deliver the take over certificate:*

Fruit juice/jams

Azintrade
Baku Center
Dom Pravitelstva, Floor 1
Tel: (7 89 22) 93 19 80/93 97 13

Flour

Gossudarstvenaya Companija Chleboproductov
370033 Baku
Ul. Usif Zaade No 13
Mr F. R. Mamedov — President
Tel: (7 89 22) 66 74 51/66 38 20.

ANNEX III

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CERTIFICATE OF REMOVAL

I, the undersigned .....
(name/first name/position)

acting on behalf of .....

certify that the following goods have been taken over:

Product:	
Packaging:	
Total quantity in tonnes (net): (gross):	
No of pallets/sacks:	
Place and date of takeover:	
Name of boat:	
Name and address of the transport company:	

Name and address of the monitoring agency:

.....

.....

Name and signature of its on-the-spot representative:

.....

.....

Observations or remarks:

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.....

Signature and stamp
of the producer

.....

ANNEX IV

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TAKEOVER CERTIFICATE AT THE PORT OF POTI/BATUMI

I, the undersigned .....
(name/first name/position)

acting on behalf of .....

certify that the following goods have been taken over:

Product:	
Packaging:	
Total quantity in tonnes (net): (gross):	
No of pallets/sacks:	
Place and date of takeover:	
Name of boat:	
Name and address of the transport company:	

Name and address of the monitoring agency:

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.....

Name and signature of its on-the-spot representative:

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.....

Observations or remarks:

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Signature and stamp
of the Georgian authorities

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Signature and stamp
of the ..... authorities

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ANNEX IV (a)

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Train No .....

TAKEOVER CERTIFICATE ON THE ARRIVAL OF THE RAIL-WAGONS IN THE COUNTRIES OF DESTINATION

I, the undersigned .....
(name/first name/position)

acting on behalf of .....

certify that the goods indicated below have been taken over:

Type of product: .....

Place and date of takeover: .....

Wagon No	Seal No	Quantity (net weight)	No of packets	Date frontier crossed	Quantities (1), signature and remarks
1.	.....	.....	.....	.....	.....
2.	.....	.....	.....	.....	.....
3.	.....	.....	.....	.....	.....
4.	.....	.....	.....	.....	.....
5.	.....	.....	.....	.....	.....
6.	.....	.....	.....	.....	.....
7.	.....	.....	.....	.....	.....
8.	.....	.....	.....	.....	.....
9.	.....	.....	.....	.....	.....
10.	.....	.....	.....	.....	.....

(1) To be completed only for the wagons which have been the subject of a check, inserting the weight found.

Name and address of the transport company: .....

Name and address of the monitoring agency: .....

Observations and remarks:

.....

Representative of monitoring agency
Name, signature and stamp

.....

.....

Name, signature and stamp of the beneficiary

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.....

ANNEX V

Transit prices on Georgian territory

AZERBAIJAN

(in US dollars)

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
		Poti	Batumi	
Grain		15,1	16,5	120
— grab	4			
— vacuvator	5,5			
General cargo in covered wagons	6	15,1	16,5	120
Thermos wagons	7	30,8	33,8	120

ARMENIA

(in US dollars)

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
		Poti	Batumi	
Grain		15	17	120
— grab	4			
— vacuvator	5,5			
General cargo in covered wagons	6	15	17	120
Thermos wagons	7	31	35	120

GEORGIA

(in US dollars)

Products	Grain — grab	Grain — vacuvator	General cargo in covered wagons
Discharging cost (per tonne)	3	3,5	5