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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3218/91

of 5 November 1991

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2661/91⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 5 November 1991;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2661/91 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 November 1991.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 5 November 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 250, 7. 9. 1991, p. 1.

ANNEX

to the Commission Regulation of 5 November 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Levy
0709 90 60	123,73 ⁽²⁾ ⁽³⁾
0712 90 19	123,73 ⁽²⁾ ⁽³⁾
1001 10 10	178,27 ⁽¹⁾ ⁽³⁾
1001 10 90	178,27 ⁽¹⁾ ⁽³⁾
1001 90 91	153,58
1001 90 99	153,58
1002 00 00	164,77 ⁽⁶⁾
1003 00 10	140,98
1003 00 90	140,98
1004 00 10	128,47
1004 00 90	128,47
1005 10 90	123,73 ⁽²⁾ ⁽³⁾
1005 90 00	123,73 ⁽²⁾ ⁽³⁾
1007 00 90	137,27 ⁽⁴⁾
1008 10 00	55,94
1008 20 00	126,29 ⁽⁴⁾
1008 30 00	77,31 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	77,31
1101 00 00	228,01 ⁽⁸⁾
1102 10 00	243,68 ⁽⁸⁾
1103 11 10	289,57 ⁽⁸⁾
1103 11 90	245,58 ⁽⁸⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticae).

⁽⁸⁾ On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

COMMISSION REGULATION (EEC) No 3219/91

of 5 November 1991

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1845/91⁽⁵⁾ and subsequent amending Regulation;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 5 November 1991;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 November 1991.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 5 November 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 168, 29. 6. 1991, p. 4.

ANNEX

to the Commission Regulation of 5 November 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 11	1st period 12	2nd period 1	3rd period 2
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	3,59
1004 00 90	0	0	0	3,59
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3220/91
of 30 October 1991
on the supply of refined rape seed oil 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 1 250 tonnes of refined rape seed oil;

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

Refined rape seed oil 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.

The successful tenderer shall be deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender shall be 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, 30 October 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 Nos⁽¹⁾**: 641 — 644/91
2. **Programme**: 1991
3. **Recipient⁽²⁾**: Euronaid, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Lot A: Nicaragua; Lot B: Ethiopia
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods⁽³⁾**: see OJ No C 114, 29. 4. 1991, p. 3 (under III.A.1 (a))
8. **Total quantity**: 870 tonnes net
9. **Number of lots**: two (A: 300 tonnes; B: 570 tonnes)
10. **Packaging and marking⁽⁴⁾**: see OJ No C 114, 29. 4. 1991, p. 3 (under III.A.2.2 (b), III.A.2.3 and III.A.3)
 - Five litre drums without cardboard cross-pieces
 - Markings in English and Spanish
 - Supplementary markings on the packaging: 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**: 10. 12. 1991 — 10. 1. 1992
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply⁽⁵⁾**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 19. 11. 1991
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 3. 12. 1991
 - (b) period for making the goods available at the port of shipment: 24. 12. 1991 — 24. 1. 1992
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 17. 12. 1991, at 12 noon
 - (b) period for making the goods available at the port of shipment: 7. 1 — 7. 2. 1992
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 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, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 AGREC B
25. **Refund payable on request by the successful tenderer**: —

LOT C

1. **Operation Nos** (1): 633 — 640/91
2. **Programme**: 1991
3. **Recipient** (2): Euronaid, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** (3): see OJ No C 114, 29. 4. 1991, p. 3 (under IIIA.1 (a))
8. **Total quantity**: 380 tonnes net
9. **Number of lots**: one
10. **Packaging and marking** (4) (5) (6): see OJ No C 114, 29. 4. 1991, p. 3 (under IIIA.2.3 and IIIA.3)
 - Markings in French, Spanish and Portuguese
 - Supplementary markings on the packaging: 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**: 10. 12. 1991 — 10. 1. 1992
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply** (7): tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 19. 11. 1991
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 3. 12. 1991
 - (b) period for making the goods available at the port of shipment: 24. 12. 1991 — 24. 1. 1992
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 17. 12. 1991, at 12 noon
 - (b) period for making the goods available at the port of shipment: 7. 1 — 7. 2. 1992
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (8): 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 AGREC 22037 B or 25670 AGREC B
25. **Refund payable on request by the successful tenderer**: —

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) The successful tenderer is to contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (³) The successful tenderer is to deliver to the recipient a certificate from an official entity certifying that to the standards applicable, the products to be delivered as regards to nuclear radiation, in the Member State concerned, have not been exceeded.

The successful tenderer is to supply to the recipient or its representative, on delivery, the following documents :

- plant-health certificate,
- certificate of origin.

- (⁴) The supplier should send a duplicate of the original invoice to :

Messrs De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.

- (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 at one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05,
 - 236 33 04.

- (⁶) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 does not apply to tenders submitted.

- (⁷) Shipment to take place in twenty-foot containers, FLC/LCL. The supplier will 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 will be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The successful tenderer must submit to the recipient's agent a complete packing list of each container, specifying the number of drums belonging to each shipping number as specified in the invitation to tender. The rows of drums must be separated by plywood sheets.

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

- (⁸) The vegetable oil may also be contained in twenty litre plastic drums, all hermetically sealed.

The drums must have stoppers fitted with safety devices.

The drums shall have two flat walls, a built-in handle and a screw top.

The drums shall be capable of surviving the following vertical-shock tests :

- first test : dropping flat on the base,
- second test : dropping flat on the top,
- third test : dropping flat on the longer side,
- fourth test : dropping flat on the shorter side,
- fifth test : dropping on an upper corner.

(One sample for each vertical-shock test.)

Height of drop : 1,20 m.

- (⁹) The cartons must be stacked on wooden pallets (made of pine, fir or poplar measuring not more than 1 200 × 1 400 mm, and with the following features :

- four-way entry, non-reversible, with wings,
- a top deck consisting of a minimum of seven planks (") measuring 100 mm in width and of a thickness of 22 mm,
- a bottom deck consisting of three planks ("),
- three bearers ("),
- nine dowels : 100 × 100 × 78 mm minimum.

The palletized cartons shall be covered by a film of a thickness of at least 150 microns.

The cartons must have reinforced protection consisting of four angles (35 × 35 mm) made of cardboard at least 3 mm thick placed on the four upper edges.

The whole of the above must be bound, bound, in each direction, by two nylon straps of a width of not less than 15 mm with plastic buckles .

*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 Recipient 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
(1)	(2)	(3)	(4)	(5)	(6)
A	300	300	Oxfam Belgium	Nicaragua	Acción nº 641/91 / Nicaragua / Oxfam B / 910804 / Managua vía Corinto / Distribución gratuita
B	570	40	Caritas Germany	Ethiopia	Action No 642/91 / Ethiopia / Caritas Germany / 910414 / Addis Ababa via Assab / Free distribution
		20	Caritas Germany	Ethiopia	Action No 643/91 / Ethiopia / Caritas Germany / 910415 / Asmara via Massawa / Option Assab / Free distribution
		510	Oxfam UK	Ethiopia	Action No 644/91 / Ethiopia / Oxfam UK / 910905 / Assab / Free distribution
C	380	105	Caritas N	Peru	Acción nº 633/91 / Perú / Caritas N / 910326 / Ayacucho vía Callao / Distribución gratuita
		135	Caritas N	Haiti	Action nº 634/91 / Haiti / Caritas N / 910332 / Port-au-Prince / Distribution gratuite
		20	Protos	Haiti	Action nº 635/91 / Haiti / Protos / 911507 / Port-au-Prince / Distribution gratuite
		15	Caritas N	Angola	Acção nº 636/91 / Angola / Caritas N / 910313 / Luanda / Distribuição gratuita
		15	Caritas N	Angola	Acção nº 637/91 / Angola / Caritas N / 910318 / Namibe / Distribuição gratuita
		45	Oikos	Angola	Acção nº 638/91 / Angola / Oikos / 916702 / Malanje via Luanda / Distribuição gratuita
		15	Cinterad	Zaire	Action nº 639/91 / Zaire / Cinterad / 913446 / Kinshasa via Matadi / Distribution gratuite
		30	Caritas Belgica	Burundi	Action nº 640/91 / Burundi / Caritas B / 910212 / Bujumbura via Mombasa / Distribution gratuite

COMMISSION REGULATION (EEC) No 3221/91
of 4 November 1991
amending Regulation (EEC) No 2992/91 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 Commission Regulation (EEC) No 2992/91 ⁽³⁾
issued an invitation to tender for the supply, as food aid,
of 5 000 tonnes of sorghum; whereas some of the
conditions specified in the Annexes to the Regulation
should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

Annex to Regulation (EEC) No 2992/91 is hereby
replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of 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, 4 November 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 285, 15. 10. 1991, p. 9.

ANNEX

1. **Operation No** (1): 702/91
2. **Programme**: 1991
3. **Recipient** (2): Niger
4. **Representative of the recipient** (2): Office des produits vivriers du Niger (OPVN), BP 474, Niamey; tel.: 73 53 31
5. **Place or country of destination**: Niger
6. **Product to be mobilized**: sorghum
7. **Characteristics and quality of the goods** (3): see note (4)
8. **Total quantity**: 5 000 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (4): see list published in OJ No C 114, 29. 4. 1991, p. 1 (under IIA.2.C and IIA.3)
— markings in French
11. **Method of mobilization**: the Community market
12. **Stage of supply** (5): free at destination
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**: Entrepôts OPVN, Niamey
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 — 30. 11. 1991
18. **Deadline for the supply**: 15. 1. 1992
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 29. 10. 1991
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 5. 11. 1991
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 22. 11 — 6. 12. 1991
 - (c) deadline for the supply: 22. 1. 1992**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 12. 11. 1991
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 29. 11 — 13. 12. 1991
 - (c) deadline for the supply: 29. 1. 1992
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, 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 25. 10. 1991, fixed by Commission Regulation (EEC) No 2854/91 (OJ No L 272, 28. 9. 1991, p. 70)

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 beneficiaries 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 shall give 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), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), is applicable as regards the export refunds 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) Once the successful tenderer has been informed of the award of the contract, he shall immediately contact the beneficiary with a view to determining what documents are required for the consignment and their distribution.
- (⁸) Sorghum for human consumption, of fair, sound and marketable quality, free of odour and live pests, meeting the following conditions:
- moisture content: 14,5 % maximum,
 - percentage of broken grains: 3 % maximum,
 - percentage of grain impurities: 4 % maximum,
 - percentage of sprouted grains: 1 % maximum,
 - percentage of miscellaneous impurities: 1 % maximum ('miscellaneous impurities' consist of weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects),
 - tannin content: 0,3 % maximum of dry matter.
- (⁹) Bagging must be carried out before shipment.
-

COMMISSION REGULATION (EEC) No 3222/91

of 5 November 1991

re-establishing the levying of customs duties on products falling within CN code 3923 21 00, originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 3923 21 00, originating in China, the individual ceiling was fixed at ECU 4 599 000; whereas, on 30 June 1991, imports of these products into the Community originating in China, reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 9 November 1991, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in China:

Order No	CN code	Description
10.0480	3923 21 00	Sacks and bags (including cones) — Of polymers of ethylene

Article 2

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, 5 November 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

COMMISSION REGULATION (EEC) No 3223/91

of 5 November 1991

authorizing the United Kingdom to permit under certain conditions an additional increase in the alcoholic strength of certain table wines

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1734/91 ⁽²⁾, and in particular Article 18 (4) and 81 thereof,

Whereas under Article 18 (1) of Regulation (EEC) No 822/87 Member States may permit an increase in the actual or potential alcoholic strength only within certain limits;

Whereas, because of the exceptionally bad weather in 1991, in parts of wine-growing zone A with poor temperature in late spring, abnormally high rainfall and a lack of sunshine, the limits upon increase in the natural alcoholic strength as fixed by Article 18 (1) of Regulation (EEC) No 822/87 in many cases prevent production of the wines which are normally required by the market; whereas, therefore, the Member State concerned should be authorized to permit in the areas affected an additional increase in the natural alcoholic strength as provided for in Article 18 (2) of Regulation (EEC) No 822/87; whereas provision should be made for the Member State to communicate to the Commission certain information, in particular pursuant to Commission Regulation (EEC) No 2240/89 ⁽³⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 5 November 1991.

Article 1

The United Kingdom is hereby authorized for the 1991/92 wine-growing year to allow an additional increase in the alcoholic strength laid down in respect of wine-growing zone A in Article 18 (2) of Regulation (EEC) No 822/87 as regard products listed in the first paragraph of paragraph 1 of the said Article 18 and which are produced from grapes:

- (a) intended for the production of table wines, and
- (b) of the recommended and authorized wine varieties specified in the Annex.

Article 2

On the basis of the declarations referred to in the second subparagraph of Article 23 (1) of Regulation (EEC) No 822/87, the Member State concerned shall communicate to the Commission not later than 31 May 1992 particulars of the quantities of sugar, concentrated grape must and rectified concentrated grape must used to make an increase in the natural alcoholic strength of products referred to in Article 1.

Such communications shall give estimates of the quantities of sugar, concentrated grape must and rectified concentrated grape must used to make an additional increase in the alcoholic strength as provided for in Article 18 (2) of Regulation (EEC) No 822/87.

Article 3

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 163, 26. 6. 1991, p. 6.

⁽³⁾ OJ No L 215, 26. 7. 1989, p. 16.

ANNEX

(a) Recommended wine grape varieties :

Huxelrebe, Muller-Thurgau, Reichensteiner, Schonburger, Seyval blanc.

(b) authorized wine grape varieties :

Auxerrois, Bacchus, Cascade, Chardonnay, Dunkelfelder, Ehrenfelser, Faber, Gutenborner, Kerner, Leon Millot, Madeleine sylvaner, Optima, Ortega, Pinot Noir, Regner, Rulander, Scheurebe, Triomphe, Wrotham pinot, Würzer, Zweigeltrebe.

COMMISSION REGULATION (EEC) No 3224/91

of 5 November 1991

amending Regulation (EEC) No 2006/80 determining the intervention centres for cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 3 (7) thereof,Whereas Council Regulation (EEC) No 1145/76 ⁽³⁾ lays down the rules for determining the intervention centres for cereals;Whereas the intervention centres were determined by Commission Regulation (EEC) No 2006/80 ⁽⁴⁾, as last amended by Regulation (EEC) No 2207/91 ⁽⁵⁾; whereas, when the list of intervention centres in France was last amended, the centre Villiers-le-Sec in the department of Haute-Marne was deleted by mistake; whereas that centre should be put back on the list in question; whereas, moreover, some spelling mistakes have been made in the names of certain centres; whereas those mistakes should be corrected at the same time;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The section headed 'FRANCE' in the Annex to Regulation (EEC) No 2006/80 is hereby amended as follows:

1. In the department of Haute-Marne (52), the intervention centre Villiers-le-Sec is added in respect of common wheat and barley.
2. In the department of Loir-et-Cher (41), 'Nouar-le-Fuzelier' is replaced by 'Nouan-le-Fuzelier'.
3. In the department of Haute-Marne (52), 'Vaulx-sous-Aubigny/Guey' is replaced by 'Vaux-sous-Aubigny/Occey'.
4. In the department of Saône-et-Loire (71), 'Châlons-sur-Saône' is replaced by 'Châlon-sur-Saône'.

*Article 2*This Regulation shall enter into force on the seventh 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 November 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 130, 19. 5. 1976, p. 8.⁽⁴⁾ OJ No L 197, 30. 7. 1980, p. 1.⁽⁵⁾ OJ No L 203, 26. 7. 1991, p. 15.

COMMISSION REGULATION (EEC) No 3225/91
of 5 November 1991
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 464/91 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1849/91 ⁽³⁾, as last amended by Regulation (EEC) No 3212/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1849/91 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in

the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁶⁾,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 4 November 1991,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 November 1991.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 5 November 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 168, 29. 6. 1991, p. 16.

⁽⁴⁾ OJ No L 303, 1. 11. 1991, p. 77.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 5 November 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	38,58 ⁽¹⁾
1701 11 90	38,58 ⁽¹⁾
1701 12 10	38,58 ⁽¹⁾
1701 12 90	38,58 ⁽¹⁾
1701 91 00	43,64
1701 99 10	43,64
1701 99 90	43,64 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION RECOMMENDATION

of 24 October 1991

on the standardization of notices of public contracts

(91/561/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 155, second indent, thereof,

Whereas Council Directives 71/305/EEC⁽¹⁾, 72/277/EEC⁽²⁾ and 89/440/EEC⁽³⁾, and Council Directives 77/62/EEC⁽⁴⁾ and 88/295/EEC⁽⁵⁾, make it compulsory to publish notices in the *Official Journal of the European Communities* for the procurement procedures covered by those Directives, and lay down the items of information to be included in the notices published;

Having regard to the declaration by the Council and the Commission⁽⁶⁾ on model notices of invitation to tender and the use of new technology during the adoption of Directive 88/295/EEC,

Having regard to the communication from the Commission to the Council on promoting SME participation in public procurement in the Community⁽⁷⁾ and the Council's conclusions regarding the potential contribution of

more transparent tendering procedures to improving SME access to public procurement⁽⁸⁾,

Whereas standardizing the information contained under each item, with due regard to Community legislation and each Member State's national legislation on the awarding of public contracts, will contribute to better achievement of the objectives of the policy of opening up public contracts, and in particular to:

- better understanding by competing bidders of the conditions for participation, thanks to a common language of public contract notices, which is fundamental to transparent procedures,
- a reduction in unintentional errors and incorrect application of the Directives by contracting authorities due to misunderstanding of the Community legislation, thanks to the new approach which serves as a guide to users,
- simplification of the task of preparing notices, which will now consist simply of selecting the words or phrases applicable and adding the further information necessary in each case;

Whereas this standardization will also lead to simplification of internal administrative procedures for preparing notices and to a substantial reduction in the cost of free publication in the *Supplement to the Official Journal of the European Communities*;

Whereas in order to be fully effective this system also entails adopting nomenclatures for the description of the works, services or supplies being put out to tender;

⁽¹⁾ OJ No L 185, 16. 8. 1971, p. 5.

⁽²⁾ OJ No L 176, 3. 8. 1972, p. 12.

⁽³⁾ OJ No L 210, 21. 7. 1989, p. 1.

⁽⁴⁾ OJ No L 13, 15. 1. 1977, p. 1.

⁽⁵⁾ OJ No L 127, 20. 5. 1988, p. 1.

⁽⁶⁾ Minutes (Doc. No 5275/88) of the Council, 22. 3. 1988.

⁽⁷⁾ COM(90) 166, 7. 5. 1990.

⁽⁸⁾ Minutes (Doc. No 6617/90) of the Council, 28. 5. 1990.

Whereas it is desirable that the system be finally adopted only after experience has been gained in a transitional period;

Having regard to the favourable opinion of the Advisory Committee on Public Contracts on the solution proposed,

HEREBY FORMULATES THIS RECOMMENDATION:

1. It is recommended that the Member States take the necessary measures to ensure that:

- contracting authorities within the meaning of Article 1 of the abovementioned Directives make optional use, for advertising public contracts in the *Official Journal of the European Communities*, of standard forms for notices,
- for public works contracts, contracting authorities within the meaning of Directive 71/305/EEC for the Kingdom of Spain, the Hellenic Republic and the

Portuguese Republic and within the meaning of that Directive as amended by Directive 89/440/EEC for the other Member States make optional use of the 'General Public Works Nomenclature' for the description of the work put out to tender.

2. Member States are invited to implement this recommendation not later than 1 January 1992 and to inform the Commission by the same date of the wording of the measures enacted.

3. Member States are invited to inform the Commission not later than 1 January 1993 of their comments, if any, on the implementation of these provisions.

Done at Brussels, 24 October 1991.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

The standard forms mentioned in the first indent of point 1 of this recommendation and the instructions for their use and the 'General Public Works Nomenclature' mentioned in the second indent of point 1 will be published as indicated in the following table:

Member State	Language	Publication
Belgium	German	OJ No S 217 A of 16 November 1991
Belgium	French	OJ No S 217 B of 16 November 1991
Belgium	Dutch	OJ No S 217 C of 16 November 1991
Denmark	Danish	OJ No S 217 D of 16 November 1991
Germany	German	OJ No S 217 E of 16 November 1991
Greece (*)	Greek	OJ No S 217 F of 16 November 1991
Spain (*)	Spanish	OJ No S 217 G of 16 November 1991
France	French	OJ No S 217 H of 16 November 1991
Ireland	English	OJ No S 217 I of 16 November 1991
Italy	Italian	OJ No S 217 J of 16 November 1991
Luxembourg	French	OJ No S 217 K of 16 November 1991
Netherlands	Dutch	OJ No S 217 L of 16 November 1991
Portugal (*)	Portuguese	OJ No S 217 M of 16 November 1991
United Kingdom	English	OJ No S 217 N of 16 November 1991

(*) The standard forms for these three Member States will be adapted to the requirements of Directives 88/295/EEC and 89/440/EEC as from 1 March 1992.

CORRIGENDA**Corrigendum to Council Directive 91/440/EEC of 29 July 1991 on the development of the Community's railways**

(Official Journal of the European Communities No L 237 of 24 August 1991)

On page 25 in the seventh recital, line 2:

for: '... existing publically owned or controlled ...';

read: '... existing publicly owned or controlled ...'.

On page 26 in Article 1, line 1:

for: '... to facilitate the adoption of the Community railways...';

read: '... to facilitate the adaptation of the Community railways...';

in Article 2 paragraph 2 shall read as follows:

'2. Railway undertakings whose activity is limited to the provision of solely urban, suburban or regional services shall be excluded from the scope of this Directive.';

in Article 5 (2):

for: '...; they shall also lay down the method of implementation.';

read: '...; they must also provide for the means enabling these objectives to be obtained.';

On page 27 in Article 9 (1), line 1:

for: '... the existing publicity owned or controlled railway undertakings ...';

read: '... the existing publicly owned or controlled railway undertakings ...'.
