COMMISSION REGULATION (EC) No 398/2003
of 3 March 2003
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 (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security [1], as modified by Regulation (EC) No 1726/2001 of the European Parliament and of the Council [2], and in particular Article 24(1)(b) thereof,

Whereas:

(1) The abovementioned Regulation lays down the list of countries and organisations eligible for Community aid and specifies the general criteria on the transport of food aid beyond the fob stage.

(2) Following the taking of a number of decisions on the allocation of food aid, the Commission has allocated cereals to certain beneficiaries.

(3) It is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid [3]. It is necessary to specify the time limits and conditions of supply to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Cereals shall be mobilised in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EC) No 2519/97 and under the conditions set out in the Annex.

The 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 Union*.

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

Done at Brussels, 3 March 2003.

For the Commission
Franz FISCHLER
Member of the Commission

[1] OJ L 166, 5.7.1996, p. 1.
[2] OJ L 234, 1.9.2001, p. 10.
[3] OJ L 346, 17.12.1997, p. 23.

ANNEX

LOT A

1. **Action No:** 85/02
2. **Beneficiary** ([2])**:** Eritrea
3. **Beneficiary's representative:** Eritrean Relief and Refugees Commission, Asmara, Eritrea. Mr Ibrahim Said, Director-General of Relief and Logistics; tel. (291-1) 18 22 22; fax 18 29 70
4. **Country of destination:** Eritrea
5. **Product to be mobilised:** common wheat
6. **Total quantity (tonnes net):** 23 750
7. **Number of lots:** 1 in 4 parts (A1: 11 825 tonnes; A2: 6 405 tonnes; A3: 3 056 tonnes; A4: 2 464 tonnes)
8. **Characteristics and quality of the product** ([3]) ([5])**:** see OJ C 312, 31.10.2000, p. 1 (A.1)
9. **Packaging** ([7])**:** see OJ C 267, 13.9.1996, p. 1 (1.0 A 1.c, 2.c and B.3)
10. **Labelling or marking** ([6])**:** see OJ C 114, 29.4.1991, p. 1 (II.A(3))
    — Language to be used for the markings: English
    — Supplementary markings: —
11. **Method of mobilisation of the product:** the Community market
12. **Specified delivery stage** ([8])**:** free at destination
13. **Alternative delivery stage:** free at port of shipment — fob stowed
14. a) **Port of shipment:** —
    b) **Loading address:** —
15. **Port of landing:** —
16. **Place of destination:** ERREC warehouse: Keren (A1); Massawa (A2); Asmara (A3); Assab (A4); Massawa (A1 and A3)
    — port or warehouse of transit: Massawa (A1 and A3)
    — overland transport route: —
17. **Period or deadline of supply at the specified stage:**
    — first deadline: 1.6.2003
    — second deadline: 15.6.2003
18. **Period or deadline of supply at the alternative stage:**
    — first deadline: 1-13.4.2003
    — second deadline: 14-27.4.2003
19. **Deadline for the submission of tenders (at 12 noon, Brussels time):**
    — first deadline: 18.3.2003
    — second deadline: 1.4.2003
20. **Amount of tendering guarantee:** EUR 5 per tonne
21. **Address for submission of tenders and tendering guarantees** ([1])**:** M. Vestergaard, Commission européenne, Bureau: L130 7/46, B-1049 Brussels; Telex: 25670 AGREC B; fax (32-2) 296 70 03/296 70 04
22. **Export refund** ([4])**:** refund applicable on 26.2.2003, fixed by Commission Regulation (EC) No 187/2003 (OJ L 27, 1.2.2003, p. 12).