COMMISSION DECISION

of 1 July 1974

issuing a standing invitation to tender for the export of 100 000 metric tons of common wheat held by the Belgian intervention agency

(Only the French and Dutch texts are authentic)

(74/379/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC [1] of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73 [2], and in particular Article 7 (5) thereof;

Having regard to Commission Regulation (EEC) No 376/70 [3] of 27 February 1970 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies, as last amended by Regulation (EEC) No 129/73 [4] and in particular Article 5 (1) and (7) thereof;

Whereas the Kingdom of Belgium in its communication of 19 June 1974 informed the Commission of the intention of the Belgian intervention agency to issue an invitation to tender for the export of 100 000 metric tons of common wheat;

Whereas the 100 000 metric tons of common wheat to be tendered for will be exported from the frontier crossing posts for which the tenders are made by the tenderers; whereas the common wheat is stored elsewhere; whereas the Belgian intervention agency, in order to place all those participating in the tendering procedure in the same competitive position shall sell at the same price; whereas in order to do this it will bear the cost of transport from the place of storage to the frontier crossing point stipulated;

Whereas under Article 5 (5) of Regulation (EEC) No 376/70 it may be provided that a tender shall only be valid if it is accompanied by an application for an export licence and by an application for advance fixing of the refund for the destination in question; whereas the intention of this provision is to allow for better assessment of the tender lodged by the tenderer;

Whereas Council Regulation (EEC) No 1968/73 [5] of 19 July 1973 laying down general rules to be applied in the event of the cereals market being disturbed, as last amended by Regulation (EEC) No 676/74 [6], provided for the possibility of fixing an export levy; whereas, according to Article 3 (4) of that Regulation, this levy may be subject to advance fixing;

Whereas it is only possible to make a proper assessment of a tender if the tender is linked with the export levy applicable on the day on which it is lodged; whereas, in order to take account of this, the rules of Article 5 (5) of Regulation (EEC) No 376/70 should be applied to the export levy by analogy and the application of all the provisions made under this Article should be extended to the export levy;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Management Committee for Cereals,

HAS ADOPTED THIS DECISION:

Article 1

The Belgian intervention agency, may under the conditions hereinafter laid down, issue a standing invitation to tender for the export of common wheat held by it.

Article 2

1. The invitation to tender refers to a quantity of 100 000 metric tons of common wheat.

2. The places in which the 100 000 metric tons of common wheat are stored are listed in the annex.

Article 3

1. The minimum selling price is to be fixed for the following places in accordance with Article 5 (7) of Regulation (EEC) No 376/70: the North Sea ports of the Community.

2. Tenders must be made for one or more of these ports. The tenderer shall specify the port or ports for which the tender is made.

(1) OJ No 117, 19. 6. 1967, p. 2269/67.
(2) OJ No L 141, 28. 5. 1973, p. 8.
(3) OJ No L 47, 28. 2. 1970, p. 49.
(4) OJ No L 17, 20. 1. 1973, p. 17.
(5) OJ No L 201, 21. 7. 1973, p. 10.
(6) OJ No L 83, 28. 3. 1974, p. 3.

The tenders shall be for common wheat :

— which is in harbour silos from which it can be loaded directly onto a seagoing vessel or canal barge, or

— which is supplied undischarged at the place of embarkation at the port.

3. In cases where an export refund or levy is applicable on the day on which tenders are lodged, the tenders shall only be valid if they are accompanied by an application for an export licence lodged by the tenderer and a corresponding application :

— for advance fixing of the refund for the destination in question, or

— for advance fixing of the export levy — in this case the provisions made under Article 5 (5) of Regulation (EEC) No 376/70 shall apply.

4. As regards the quantities of common wheat which are not at the places referred to in the first and second indents of paragraph 2, the most advantageous transport costs between the place of storage and the place of embarkation at the port which may be reached at the most advantageous costs, shall be reimbursed to the exporter-tenderer by the Belgian intervention angency.

Article 4

The Belgian intervention agency shall lay down in the notice of invitation to tender the dates on which tenders may be submitted.

There must be at least 10 days between publication of the notice of invitation to tender and the first date laid down for submission of tenders. The last date on which tenders may be submitted is 31 December 1974.

Article 5

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 1 July 1974.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

Place of storage	Quantities stored
Java (Huy)	3 000 metric tons
Floreffe	5 000 metric tons
Brugge	7 000 metric tons
Zeebrugge	3 000 metric tons
Tournai	2 356 metric tons
Ghlin (Mons)	5 000 metric tons
Poperinge	3 012 metric tons
Verrebroek	4 211 metric tons
Racourt	19 000 metric tons
Liège	8 000 metric tons
Antwerpen	15 000 metric tons
Gent	14 000 metric tons
Ath	8 000 metric tons
Bruxelles	3 421 metric tons