COMMISSION REGULATION (EEC) No 412/76

of 25 February 1976

opening an invitation to tender for Parmigiano Reggiano cheeses held by the Italian intervention agency for exportation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products (1), as last amended by Regulation (EEC) No 740/75 (2), and in particular Article 8 (5) thereof,

Whereas substantial stocks of Parmigiano Reggiano cheeses are held by the Italian intervention agency; whereas, in view of the market situation, and to avoid the costs of prolonged storage, certain quantities of Parmigiano Reggiano cheeses which have reached the proper age for consumption should be sold; whereas the world market now offers the prospect of additional sales and a sale for export to certain third countries should be arranged;

Whereas, pursuant to the first subparagraph of Article 8 (2) of Regulation (EEC) No 804/68, the terms of disposal should be fixed in such a way as to avoid disturbing the balance of the market; whereas this aim may be achieved through the level at which the selling price is fixed and also by limiting the destinations and the quantities to be released on to the market; whereas, in order to ensure equal access to cheeses for prospective purchasers, the procedure of an invitation to tender should be used, the detailed rules for which are specified in Articles 6 to 15 of Commission Regulation (EEC) No 1107/68 of 27 July 1968 on detailed rules of application for intervention on the market in Grana Padano and Parmigiano Reggiano cheeses (3), as last amended by Regulation (EEC) No 250/76 (4);

Whereas it is appropriate to provide an advance fixing certificate for the quantities awarded so that the level of the refund is related to the selling price;

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

(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 74, 22. 3. 1975, p. 1.
(3) OJ No L 184, 29. 7. 1968, p. 29.
(4) OJ No L 30, 5. 2. 1976, p. 11.

HAS ADOPTED THIS REGULATION:

Article 1

Tenders are invited for a quantity of 2 000 metric tons of fully matured Parmigiano Reggiano cheeses held by the Italian intervention agency for the purpose of exportation to the countries mentioned in Article 2.

Article 2

The cheeses in question shall be exported to one of the following countries:

— Zone A
— Zone B
— Zone C
— countries of the Arabian Peninsula
— European countries except Zone D, Switzerland, Liechtenstein, Austria, Scandinavia, Finland and Greece.

Article 3

1. The refund shall be fixed in advance.

2. Section 13 of the certificate shall state the country or countries of destination; the issue of the certificate shall carry with it the obligation to export to that country or to those countries.

3. The refund fixed in advance shall not be subject to any adjustment as provided for in Article 5 of Regulation (EEC) No 876/68.

4. Without prejudice to Article 14 of Regulation (EEC) No 1107/68, the removal of the goods shall be subject to the presentation of the certificate referred to in paragraph 2 for the quantities concerned.

Article 4

Articles 6 to 15 of Regulation (EEC) No 1107/68 shall apply to this invitation to tender.

Article 5

1. At the time of fixing the minimum price in accordance with Article 11 of Regulation (EEC) No 1107/68, an exportation security shall be fixed taking into account the difference between the market price of the product and the minimum price.

2. The security shall be lodged with the selling intervention agency prior to removal of the goods.

It shall be paid, at the option of the Member State concerned, either by a cheque made out to the intervention agency, or in the form of a guarantee satisfying criteria laid down by that Member State.

3. The exportation security shall be released when proof is given of importation to the prescribed third country of destination or to one of them ; the proof of importation shall be provided as in the case of export refunds.

Article 6

The time limit for submission of tenders shall expire on 16 March 1976 at 12 noon.

Article 7

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, 25 February 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission