COMMISSION REGULATION (EEC) No 579/76

of 15 March 1976

amending Regulation (EEC) No 412/76 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 559/76 [2], and in particular Article 8 (5) thereof,

Whereas Commission Regulation (EEC) No 412/76 of 25 February 1976 [3], provides for the sale by way of an invitation to tender of certain quantities of Parmigiano Reggiano cheeses held by the Italian intervention agency for exportation ; whereas Article 2 thereof fixes the destinations to which these cheeses may be exported ;

Whereas the Vatican State was omitted in error from the list of third countries which were excluded as destinations ; whereas therefore it should be added to Regulation (EEC) No 412/76 and the time limit for the submission of tenders should be extended ;

Whereas Article 15 (1) 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Parmigiano Reggiano cheeses [4], as last amended by Regulation (EEC) No 250/76 [5], provides that the tender may not be withdrawn before the award of the contract without the tendering security being forfeit, except in case of *force majeure ;* whereas, following the abovementioned amendment, a derogation from this rule should be made for the tenders already submitted ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. At the end of the last indent of Article 2 of Regulation (EEC) No 412/76, add 'as well as the Vatican State'.

2. In Article 6 of the said Regulation, for '16 March 1976' read '22 March 1976'.

Article 2

By way of derogation from Article 15 (1) of Regulation (EEC) No 1107/68, a tender submitted before 12 noon on 16 March 1976 under the invitation to tender provided for in Regulation (EEC) No 412/76 may be withdrawn at any time before 12 noon on 22 March 1976.

In such a case, the tendering security shall be released immediately.

Article 3

This Regulation shall enter into force on 15 March 1976.

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

Done at Brussels, 15 March 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

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(1) OJ No L 148, 28. 6. 1968, p. 13.
(2) OJ No L 67, 15. 3. 1976, p. 9.
(3) OJ No L 50, 26. 2. 1976, p. 16.
(4) OJ No L 184, 29. 7. 1968, p. 29.
(5) OJ No L 30, 5. 2. 1976, p. 11.