COMMISSION REGULATION (EEC) No 1235/77

of 9 June 1977

opening an invitation to tender for the sale for export of baled tobacco held by the German and Italian intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco [1], as last amended by the Act of Accession [2], and in particular Articles 7 (4), and 9 (5) thereof,

Whereas Commission Regulation (EEC) No 3389/73 of 13 December 1973 [3], as last amended by Regulation (EEC) No 489/77 [4], lays down the procedure and conditions for the sale of tobacco held by intervention agencies;

Whereas, in view of the problems caused by the storage of baled tobacco, particularly the costs thereof, and in view of the quantity of tobacco available on the internal Community market, an invitation to tender should be opened for the sale of tobacco in lots, to be exported without the granting of a refund;

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

HAS ADOPTED THIS REGULATION:

Article 1

Seven lots of baled raw tobacco from the 1972, 1973, 1974 and 1975 crops held by the German and Italian intervention agencies of a total weight of 3 888 198 kilograms, divided by reference to their varieties as shown in the Annex hereto, shall be sold for export.

Article 2

1. The sale shall take place in accordance with the tendering procedure provided for in Regulation (EEC) No 3389/73.

2. The export refunds referred to in Article 9 of Regulation (EEC) No 727/70 shall not apply to exports resulting from the said sale.

Article 3

The closing date for the submission of tenders to the seat of the Commission of the European Communities shall be at 2 p.m. local time on 5 September 1977.

Article 4

The final date referred to in Article 9 (1) of Regulation (EEC) No 3389/73 for the removal of the tobacco by the successful tenderer shall be the 60th day following the date of publication of the result of the sale by tender in the *Official Journal of the European Communities.*

Article 5

1. The security referred to in Article 5 of Regulation (EEC) No 3389/73 shall be lodged, as appropriate, with the Bundesanstalt für Landwirtschaftliche Marktordnung (BALM), Adickesallee 40, D-6000 Frankfurt/Main, Federal Republic of Germany or with the Azienda di Stato per gli interventi nel mercato agricolo, sezione specializzata per il tabacco (AIMA), via Duccio Galimberti 47, I-00136 Rome, Italy.

2. The Commission shall inform the intervention agencies concerned forthwith of the result of the sale by tender. The latter shall immediately release the securities of those tenderers whose tenders were not validly submitted or who were unsuccessful. The securities of the successful tenderer or tenderers shall be released when the conditions laid down in Article 7 (c) of the said Regulation have been satisfied.

Article 6

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, 9 June 1977.

For the Commission
Guido BRUNNER
Member of the Commission

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[1] OJ No L 94, 28. 4. 1970, p. 1.
[2] OJ No L 73, 27. 3. 1972, p. 14.
[3] OJ No L 345, 15. 12. 1973, p. 47.
[4] OJ No L 65, 11. 3. 1977, p. 23.

ANNEX

Varieties	Crop	Weight (kg)
Xanti-Yaka	1972	552 212
Perustitza	1972	376 028
Erzegovina	1972	848 000
Burley I	1972	424 690
Burley I	1974	7 979
Maryland	1974	4 460
Kentucky	1972	25 186
Kentucky	1973	1 285 013
Badischer Burley E	1974	119 706
Badischer Burley E	1975	55 354
Badischer Geudertheimer	1974	108 053
Badischer Geudertheimer	1975	81 517
		Total 3 888 198