COMMISSION REGULATION (EEC) No 1234/78

of 8 June 1978

on a standing invitation to tender for white sugar held by the Belgian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar (1), as last amended by Regulation (EEC) No 705/78 (2), and in particular Articles 11 (3) and 12 (2) thereof,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuations for the currencies of certain Member States (3), as last amended by Regulation (EEC) No 557/76 (4), and in particular Article 6 thereof;

Whereas, in view of the problems created by the storage of sugar offered to the Belgian intervention agency, a standing invitation to tender should be opened for the sale of the said sugar; whereas the sale should be for export;

Whereas the general and detailed rules for the sale of intervention sugar by tender were laid down by Council Regulation (EEC) No 447/68 of 9 April 1968 laying down general rules for intervention buying of sugar (5), as last amended by Regulation (EEC) No 1359/77 (6), and by Commission Regulation (EEC) No 258/72 of 3 February 1972 laying down detailed rules concerning the sale by tender of sugar by intervention agencies (7);

Whereas a minimum quantity per tender, appropriate to the intended use but at the same time encouraging the participation of the greatest possible number of prospective purchasers, should be prescribed;

Whereas the quality of the sugar to be sold falls within the standard quality specified in Council Regulation (EEC) No 793/72 of 17 April 1972 fixing the standard quality for white sugar (8);

(1) OJ No L 359, 31. 12. 1974, p. 1.
(2) OJ No L 94, 8. 4. 1978, p. 1.
(3) OJ No L 106, 12. 5. 1971, p. 1.
(4) OJ No L 67, 15. 3. 1976, p. 1.
(5) OJ No L 91, 12. 4. 1968, p. 5.
(6) OJ No L 156, 25. 6. 1977, p. 7.
(7) OJ No L 31, 4. 2. 1972, p. 22.
(8) OJ No L 94, 21. 4. 1972, p. 1.

Whereas provision should be made for export licences to be valid for a period different from that laid down in Commission Regulation (EEC) No 2990/76 of 9 December 1976 on special detailed rules for the application of the system of import and export licences for sugar (9), as amended by Regulation (EEC) No 278/77 (10);

Whereas, in order that the system of monetary compensatory amounts can be satisfactorily applied from the economic point of view it is essential that the monetary coefficient be applied equally in the case where, under an invitation to tender concerning trade with third countries, the amounts indicated in the statement of award in respect of a given successful tenderer are fixed in national currencies; whereas, for this reason the coefficient referred to in Article 4 (3) of Commission Regulation (EEC) No 1380/75 of 29 May 1975 laying down detailed rules for the application of monetary compensatory amounts (11), as last amended by Regulation (EEC) No 2505/77 (12) should equally be applied on refunds awarded in national currency under the present invitation to tender;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Belgian intervention agency opens a standing invitation to tender for the sale for export of white sugar which it holds. The invitation to tender shall be in respect of the export refunds on the said sugar.

2. The standing invitation to tender shall relate to the quantity of white sugar made up into one lot within the meaning of Article 2 (2) of Regulation (EEC) No 258/72 and as indicated in the Annex hereto.

(9) OJ No L 341, 10. 12. 1976, p. 14.
(10) OJ No L 39, 10. 2. 1977, p. 17.
(11) OJ No L 139, 30. 5. 1975, p. 37.
(12) OJ No L 291, 15. 11. 1977, p. 15.

Article 2

The standing invitation to tender and partial invitations thereunder shall be conducted in accordance with the relevant provisions of Regulations (EEC) No 447/68 and (EEC) No 258/72 and with the provisions hereinafter set out.

Article 3

The standing invitation to tender shall remain open until the date of the partial award at which the refund is determined for the relevant lot or, as the case may be, for the remaining part of the lot. The standing invitation shall thereupon automatically be closed from that date.

Article 4

By way of derogation from Article 5 (3) (b) of Regulation (EEC) No 258/72, the time limit for the submission of tenders shall expire on Wednesday, 14 June 1978 at 9.30 a.m. (Belgian time).

Article 5

A tender shall not be valid unless it relates either to a quantity of at least 1 000 tonnes or to the entire remaining quantity of the lot, where such quantity is less than 1 000 tonnes.

Article 6

By way of derogation from Article 7 (1) (b) of Regulation (EEC) No 258/72, the security for tender shall be three units of account per 100 kilograms of white sugar.

Article 7

The price to be paid by the successful tenderer shall be as fixed per 100 kilograms in respect of the lot in the Annex hereto. The price for the lot is quoted, bulk, ex storage depot, goods laden, including the amount of levy referred to in Article 1 (1) of Regulation (EEC) No 1466/77 [1], but exclusive of internal taxes.

Article 8

The Belgian intervention agency shall each week, by displaying notices, publish particulars of the quantities sold. In addition notices shall be displayed in those places at the Commission headquarters in Brussels, set aside for the purpose.

Article 9

1. The provisions of Article 9 of Regulation (EEC) No 2990/76 shall not apply to white sugar for export under the present standing invitation to tender.

2. The export licences issued pursuant to a partial award shall be valid from the day of issue until 30 September 1978.

3. By way of derogation from the first indent of Article 8 (1) (d) of Regulation (EEC) No 2990/76, the security for licences issued for the export of sugar covered by this Regulation shall be eight units of account per 100 kilograms of white sugar.

Article 10

The coefficient referred to in Article 4 (3) of Regulation (EEC) No 1380/75 shall equally be applicable to refunds awarded in national currency under the present invitations to tender.

Article 11

This Regulation shall enter into force on 9 June 1978.

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

Done at Brussels, 8 June 1978.

For the Commission

Finn GUNDELACH

Vice-President

[1] OJ No L 162, 1. 7. 1977, p. 4.

ANNEXE — ANHANG — ALLEGATO — BIJLAGE — ANNEX — BILAG

Référence du lot Bezeichnung des Loses Riferimento della partita Referentienummer van de partij Reference number of the lot Partiets betegnelse	Entreposeur et lieu d'entreposage Lagerhalter und Lagerort Immagazzinatore e luogo di deposito Depothouder, opslagplaats Storer and place of storage Lagerhaver og oplagringssted	Quantité (t) Menge (t) Quantità (t) Hoeveelheid (t) Quantity (tonnes) Mængde (t)	Dénomination qualitative Qualitätsbezeichnung Designazione qualitativa Kwaliteitsaanduiding Quality description Kvalitetsbetegnelse	Présentation Verpackung Presentazione Verpakking Presentation Præsentation	Prix (UC/100 kg) Preis (RE/100 kg) Prezzo (UC/100 kg) Prijs (RE/100 kg) Price (u.a./100 kg) Pris (RE/100 kg)
B	Sucrerie de Warcoing, rue de la Sucrerie 1 à Warcoing	3 000	2	Vrac	34,60