COMMISSION REGULATION (EEC) No 2855/79

of 14 December 1979

opening an invitation to tender for the sale for export of baled tobacco held by the Italian 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 727/70 of 21 April 1970 on the common organization of the market in raw tobacco (1), as last amended by Regulation (EEC) No 1579/79 (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 313/79 (4), lays down the procedure and conditions for the sale of tobacco held by intervention agencies;

Whereas, on account of the problems caused by the storage of baled tobacco, and in particular the costs of storage, and in view of the quantities of tobacco available on the internal Community market, an invitation to tender should be opened for the sale of the tobacco in lots; whereas this tobacco should be intended for export without refund;

Whereas, in view of the size of lot No 2 and of the fact that payment of the total amount of the lot is made before the tobacco is removed, it should be specified that, at the request of the successful tenderer, the security should be released at the same rate as the quantities of tobacco removed are being exported;

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

HAS ADOPTED THIS REGULATION:

Article 1

Two lots of baled raw tobacco from the 1975 and 1976 crops held by the Italian intervention agency of a total weight of 13 464 507 kilograms divided by 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 set out in Article 9 of Regulation (EEC) No 727/70 shall not apply to exports resulting from this sale.

Article 3

The deadline for the submission of tenders at the headquarters of the Commission of the European Communities shall be at 1 p.m. local time on 7 March 1980.

Article 4

The closing date referred to in Article 9 (1) of Regulation (EEC) No 3389/73 for removal of the tobacco by the successful tenderer shall be as follows:

— in the case of lot No 1, on the 60th day following that of the publication of the result of the tendering procedure in the *Official Journal of the European Communities,*

— in the case of lot No 2:

(a) at the end of the sixth month following the date of the publication of the result of the tendering procedure in the *Official Journal of the European Communities,* in respect of at least one-third of the lot;

(b) at the end of the 12th month following the said date in respect of a quantity which, in addition to the quantity previously withdrawn, represents at least two-thirds of the lot;

(c) at the end of the 18th month following the said date for the remaining tobacco.

Article 5

1. The security specified in Article 5 of Regulation (EEC) No 3389/73 must be lodged with the Azienda di Stato per gli interventi nel mercato agricolo, sezione specializzata per il tabacco (AIMA), via Duccio Galimberti 47, 00136 Rome, Italy.

2. The Commission shall inform the relevant intervention agency forthwith of the result of the sale by tender. The agency shall immediately release the secu-

(1) OJ No L 94, 28. 4. 1970, p. 1.
(2) OJ No L 189, 27. 7. 1979, p. 1.
(3) OJ No L 345, 15. 12. 1973, p. 47.
(4) OJ No L 43, 20. 2. 1979, p. 5.

rities of tenderers whose tenders were inadmissible or who were unsuccessful.

The securities of the successful tenderer or tenderers shall be released once the conditions laid down in Article 7 (c) of that Regulation have been fulfilled.

3. In the case of lot No 2 and on application by the person concerned, the security is released by instalments in proportion to the quantities of tobacco in respect of which the proofs referred to in Article 7 (c) of this Regulation have been provided.

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, 14 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

(in kg)

Varieties	Harvest	Weight
Erzegovina	1975	818 472
Xanti-Yakà	1976	2 461 963
Perustitza	1976	3 610 767
Erzegovina	1976	6 573 305
		Total 13 464 507