COMMISSION REGULATION (EEC) No 6/88

of 23 December 1987

on the issue of a standing invitation to tender for the resale on the internal market of 300 000 tonnes of barley held by certain intervention agencies with a view to their entry for consumption in Italy

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (1), as last amended by Regulation (EEC) No 3989/87 (2), and in particular Article 7 (7) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for the intervention of the market in cereals (3) lays down that cereals held by the intervention agency are to be sold by tender;

Whereas Commission Regulation (EEC) No 1836/82 (4), as last amended by Regulation (EEC) No 2418/87 (5), lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in view of the present serious shortage of feed grain on the Italian market, a standing invitation to tender should be issued for the resale on the internal market of 300 000 tonnes of barley held by certain intervention agencies with a view to their entry for consumption in Italy;

Whereas, moreover, as regards verification, the provisions of Commission Regulation (EEC) No 1687/76 of 30 June 1976 laying down common detailed rules for verifying the use and/or destination of products from intervention (6), as last amended by Regulation (EEC) No 5/88 (7), are applicable;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The following intervention agencies shall issue a standing invitation to tender for the disposal on the internal market of 300 000 tonnes of barley held by them with a view to their entry for consumption in Italy, broken down as follows:

France:	100 000 tonnes;
Germany:	100 000 tonnes;
Spain:	100 000 tonnes;

2. Without prejudice to Regulation (EEC) No 1836/82, the following special rules shall apply to the tendering procedure:

— tenderers shall undertake to enter for consumption in Italy the quantities of barley for which contracts are awarded:

— entry for consumption in Italy must be effected by 30 June 1988 at the latest, except in cases of *force majeure;*

— a security of 5 ECU per tonne shall be lodged by the successful tenderer with the selling intervention agency to ensure that the conditions laid down in the first and second indents are complied with.

The security shall be lodged at the latest two working days following the day on which the statement of award of contract was received.

Article 2

1. The obligations referred to in the first and second indents of Article 1 (2) shall be considered as primary requirements within the meaning of Article 20 of Regulation (EEC) No 2220/85. They shall be considered as having been fulfilled only if the successful tenderer provides proof to that effect.

2. Proof of entry for consumption in Italy of the cereals withdrawn from intervention shall be furnished in accordance with Regulation (EEC) No 1687/76.

Article 3

Regulation (EEC) No 1687/76 is hereby amended as follows:

In the Annex, Part II, 'Products subject to a use and/or destination other than that mentioned under I', point 45 and the relavent footnote are added:

(1) OJ No L 281, 1. 11. 1975, p. 1.
(2) OJ No L 377, 31. 12. 1987, p. 1.
(3) OJ No L 139, 24. 5. 1986, p. 36.
(4) OJ No L 202, 9. 7. 1982, p. 23.
(5) OJ No L 223, 11. 8. 1987, p. 5.
(6) OJ No L 190, 14. 7. 1976, p. 1.
(7) See page 5 of this Official Journal.

45. Commission Regulation (EEC) No 6/87 of 23 December 1987 on the issue of a standing invitation to tender for the resale on the internal market of 300 000 tonnes of barley held by the French, German and Spanish intervention agencies for entry for consumption in Italy (45).

On the dispatch of the barley:

section 104:

— Destinada a su despacho al consumo en Italia (apartado 1 del artículo 1 del Reglamento (CEE) nº 6/88)

— Bestemt til overgang til frit forbrug i Italien (artikel 1, stk. 1, i forordning (EØF) nr. 6/88)

— Zum Inverkehrbringen in Italien bestimmt (Artikel 1 Absatz 1 der Verordnung (EWG) Nr. 6/88)

— Προορίζεται για διάθεση για κατανάλωση στην Ιταλία (άρθρο 1 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 6/88)

— For entry for consumption in Italy (Article 1 (1) of Regulation (EEC) No 6/88)

— Destiné à être mis à la consommation en Italie (article 1er paragraphe 1) du règlement (CEE) nº 6/88)

— Destinado ad essere immesso in consumo in Italia (articolo 1, paragrafo 1 del regolamento (CEE) n. 6/88)

— Bestemd om in Italië in het vrije verkeer te worden gebracht (artikel 1, lid 1, van Verordening (EEG) nr. 6/88)

— Destinado a ser introduzido no consumo em Itália (nº 1 do artigo 1º) do Regulamento (CEE) nº 6/88).

(45) OJ No L 2, 5. 1. 1988, p. 7.

Article 4

1. The closing date for the submission of tenders for the first partial invitation to tender is hereby fixed at 12 January 1988.

2. The closing date for the submission of tenders for the last partial invitation to tender shall be 28 January 1988.

3. Tenders must be lodged:

— with the French intervention agency:

Office national interprofessionnel des céréales,
21, avenue Bosquet,
F—75326 Paris Cedex 07,
(Telex: OFIBLE A 200490 F);

— with the German intervention agency:

Bundesanstalt für landwirtschaftliche Marktordnung,
BALM,
Adickesallee 40,
D-6000 Frankfurt-am-Main,
(Telex: 4-11475, 4-16044);

— with the Spanish intervention agency:

Servicio nacional productos agrarios,
SENPA,
Beneficencia, 8,
E-28004 Madrid,
(Telex: 23427 SENPA E — Tel.: 232 34 88).

Article 5

The French, German and Spanish intervention agencies shall communicate to the Commission, at the latest by Tuesday of the week following the closing date for the submission of tenders, the quantity and the average prices of the various lots sold.

Article 6

This Regulation shall enter into force on the day of 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, 23 December 1987

For the Commission

Frans ANDRIESSEN

Vice-President