COMMISSION REGULATION (EC) No 1792/98

of 14 August 1998

amending Regulations (EC) No 1119/98, (EC) No 1122/98, (EC) No 1123/98, (EC) No 1323/98, (EC) No 1579/98, (EC) No 1641/98, (EC) No 1666/98, (EC) No 1667/98, (EC) No 1735/98, (EC) No 1758/98, (EC) No 1759/98, (EC) No 1760/98, (EC) No 1761/98 and (EC) No 1791/98 opening standing invitations to tender for the export of cereals held by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals [1], as last amended by Commission Regulation (EC) No 923/96 [2], and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93 [3], as last amended by Regulation (EC) No 2193/96 [4], lays down the procedures and conditions for the sale of cereals held by intervention agencies;

Whereas Commission Regulations (EC) No 1119/98 [5], (EC) No 1122/98 [6], (EC) No 1123/98 [7], (EC) No 1323/98 [8], as amended by Regulation (EC) No 1740/98 [9], (EC) No 1579/98 [10], as amended by Regulation (EC) No 1732/98 [11], (EC) No 1641/98 [12], (EC) No 1666/98 [13], (EC) No 1667/98 [14], (EC) No 1735/98 [15], (EC) No 1758/98 [16], (EC) No 1759/98 [17], (EC) No 1760/98 [18], (EC) No 1761/98 [19] and (EC) No 1791/98 [20] opened standing invitations to tender for the export of cereals held by intervention agencies to all third countries;

Whereas in view of the situation on the world cereals market the amount laid down in Article 8 of Regulations (EC) No 1119/98, (EC) No 1122/98, (EC) No 1123/98, (EC) No 1323/98, (EC) No 1579/98, (EC) No 1641/98, (EC) No 1666/98, (EC) No 1667/98, (EC) No 1735/98, (EC) No 1758/98, (EC) No 1759/98, (EC) No 1760/98, (EC) No 1761/98 and (EC) No 1791/98 for the security covering the obligation to export has proved insufficient;

Whereas, on account of the higher prices compared with other third countries applied for barley on the United States, Canadian and Mexican markets, the minimum price fixed by tender is no longer appropriate for all destinations; whereas these destinations should therefore be removed from the standing invitations to tender for the export of barley held by intervention agencies;

Whereas Regulations (EC) No 1119/98, (EC) No 1122/98, (EC) No 1123/98, (EC) No 1323/98, (EC) No 1579/98, (EC) No 1641/98, (EC) No 1666/98, (EC) No 1667/98, (EC) No 1735/98, (EC) No 1758/98, (EC) No 1759/98, (EC) No 1760/98, (EC) No 1761/98 and (EC) No 1791/98 must therefore be amended;

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

Article 8(2) of Regulations (EC) No 1119/98, (EC) No 1122/98, (EC) No 1123/98, (EC) No 1323/98, (EC) No 1579/98, (EC) No 1641/98, (EC) No 1666/98, (EC) No 1667/98, (EC) No 1735/98, (EC) No 1758/98, (EC) No 1759/98, (EC) No 1760/98, (EC) No 1761/98 and (EC) No 1791/98 is replaced by the following:

'2. Notwithstanding Article 17 of Regulation (EEC) No 2131/93, the obligation to export shall be covered by a security equal at least to the difference between the intervention price valid on the day of the award and the minimum price awarded and never less than ECU 10 per tonne. Half of this amount shall be lodged when the licence is issued and the balance shall be lodged before the cereals are removed.

Notwithstanding Article 15(2) of Regulation (EEC) No 3002/92:

— the part of the security lodged when the licence is issued must be released within 20 working days of the date on which the successful tenderer supplies proof that the cereals removed have left the customs territory of the Community,

[1] OJ L 181, 1. 7. 1992, p. 21.
[2] OJ L 126, 24. 5. 1996, p. 37.
[3] OJ L 191, 31. 7. 1993, p. 76.
[4] OJ L 293, 16. 11. 1996, p. 1.
[5] OJ L 157, 30. 5. 1998, p. 54.
[6] OJ L 157, 30. 5. 1998, p. 69.
[7] OJ L 157, 30. 5. 1998, p. 74.
[8] OJ L 183, 26. 6. 1998, p. 33.
[9] OJ L 218, 6. 8. 1998, p. 8.
[10] OJ L 206, 23. 7. 1998, p. 21.
[11] OJ L 217, 5. 8. 1998, p. 9.
[12] OJ L 210, 28. 7. 1998, p. 4.
[13] OJ L 211, 29. 7. 1998, p. 12.
[14] OJ L 211, 29. 7. 1998, p. 17.
[15] OJ L 217, 5. 8. 1998, p. 13.
[16] OJ L 221, 8. 8. 1998, p. 3.
[17] OJ L 221, 8. 8. 1998, p. 8.
[18] OJ L 221, 8. 8. 1998, p. 13.
[19] OJ L 221, 8. 8. 1998, p. 18.
[20] See page 17 of this Official Journal.

— the remainder must be released within 15 working days of the date on which the successful tenderer supplies the proof referred to in Article 17(3) of Regulation (EEC) No 2131/93.'

Article 2

The words 'for export to third countries' in Article 2(1) of Regulations (EC) No 1119/98, (EC) No 1122/98, (EC) No 1666/98, (EC) No 1667/98, (EC) No 1735/98, (EC) No 1759/98, (EC) No 1760/98, and (EC) No 1791/98 are replaced by 'for export to third countries with the exception of the United States, Canada and Mexico'.

Article 3

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, 14 August 1998.

For the Commission
Martin BANGEMANN
Member of the Commission