COMMISSION REGULATION (EC) No 1484/2006

of 6 October 2006

opening a tendering procedure for the sale of wine alcohol for use as bioethanol in the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine [1], and in particular Article 33 thereof,

Whereas:

(1) Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms [2], lays down, among other things, detailed rules for disposing of stocks of alcohol obtained from distillation under Articles 35, 36 and 39 of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine [3] and referred to in Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 and held by the intervention agencies.

(2) A tendering procedure for the sale of wine alcohol for exclusive use as bioethanol in the fuel sector in the Community should be organised in accordance with Article 92 of Regulation (EC) No 1623/2000 with a view to reducing Community stocks of wine alcohol and ensuring the continuity of supplies to firms approved under that Article.

(3) Since 1 January 1999, in accordance with Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro [4], the selling price and securities must be expressed, and payments made, in euro.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

1. Tendering procedure No 7/2006 EC is hereby opened for the sale of wine alcohol for use as bioethanol in the Community.

The alcohol concerned has been produced from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 and is held by the intervention agencies of the Member States.

2. The total volume put up for sale is 693 380,74 hectolitres of alcohol at 100 % vol., broken down as follows:

(a) one lot with the number 68/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(b) one lot with the number 69/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(c) one lot with the number 70/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(d) one lot with the number 71/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(e) one lot with the number 72/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(f) one lot with the number 73/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(g) one lot with the number 74/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(h) one lot with the number 75/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

[1] OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 2165/2005 (OJ L 345, 28.12.2005, p. 1).
[2] OJ L 194, 31.7.2000, p. 45. Regulation as last amended by Regulation (EC) No 1221/2006 (OJ L 221, 12.8.2006, p. 3).
[3] OJ L 84, 27.3.1987, p. 1. Regulation repealed by Regulation (EC) No 1493/1999.
[4] OJ L 349, 24.12.1998, p. 1.

(i) one lot with the number 76/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(j) one lot with the number 77/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(k) one lot with the number 78/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(l) one lot with the number 79/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(m) one lot with the number 80/2006 EC for a quantity of 53 380,74 hectolitres of alcohol at 100 % vol.;

(n) one lot with the number 81/2006 EC for a quantity of 40 000 hectolitres of alcohol at 100 % vol.

3. The location and references of the vats making up the lots, the quantity of alcohol in each vat, the alcoholic strength and the characteristics of the alcohol are as set out in Annex I to this Regulation.

4. Only firms approved under Article 92 of Regulation (EC) No 1623/2000 may take part in the tendering procedure.

Article 2

The sale shall be conducted in accordance with Articles 93, 94, 94b, 94c, 94d, 95, 96, 97, 98, 100 and 101 of Regulation (EC) No 1623/2000 and Article 2 of Regulation (EC) No 2799/98.

Article 3

1. Tenders shall be delivered to the intervention agencies holding the alcohol listed in Annex II or sent by registered mail to the address of the intervention agency.

2. Tenders shall be placed in a sealed double envelope, the inside envelope marked 'Tender under procedure No 7/2006 EC for use as bioethanol in the Community', the outer envelope bearing the address of the intervention agency concerned.

3. Tenders must reach the intervention agency concerned not later than 12 noon Brussels time on 23.10. 2006.

Article 4

1. To be eligible for consideration, tenders must comply with Articles 94 and 97 of Regulation (EC) No 1623/2000.

2. To be eligible for consideration, when they are presented, tenders must be accompanied by:

(a) proof that a tendering security of EUR 4 per hectolitre of alcohol at 100 % vol. has been lodged with the intervention agency holding the alcohol concerned;

(b) the name and address of the tenderer, the reference number of the notice of invitation to tender and the price proposed, expressed in euro per hectolitre of alcohol at 100 % vol.;

(c) an undertaking by tenderers that they will comply with all the rules applicable to this tendering procedure;

(d) a statement by tenderers to the effect that:

(i) they waive all claims in respect of the quality and characteristics of any alcohol awarded to them;

(ii) they agree to submit to any checks made on the destination and use made of the alcohol;

(iii) they accept that it is their responsibility to provide evidence that the alcohol is used as specified in the notice of invitation to tender in question.

Article 5

The notifications provided for in Article 94a of Regulation (EC) No 1623/2000 relating to the tendering procedure opened by this Regulation shall be sent to the Commission at the address given in Annex III to this Regulation.

Article 6

The formalities for sampling shall be as set out in Article 98 of Regulation (EC) No 1623/2000.

The intervention agency shall provide all the necessary information on the characteristics of the alcohol put up for sale.

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned.

Article 7

1. The intervention agencies in the Member States in which the alcohol put up for sale is stored shall carry out appropriate checks to verify the nature of the alcohol at the time of end-use. To that end, they may:

(a) apply Article 102 of Regulation (EC) No 1623/2000 *mutatis mutandis*;

(b) carry out checks on samples using nuclear magnetic resonance analysis to verify the nature of the alcohol at the time of end-use.

2. The costs of the checks referred to in paragraph 1 shall be borne by the firms to which the alcohol is sold.

Article 8

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 6 October 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX I

Member State and lot number	Location	Vat No	Quantity in hectolitres of alcohol at 100 % vol.	Regulation (EC) No 1493/1999 (Article)	Type of alcohol
Spain Lot No 68/2006 EC	Tarancón	A-9	24 574	27	raw
		A-10	24 508	27	raw
		B-8	918	27	raw
	Total		50 000		
Spain Lot No 69/2006 EC	Tarancón	B-8	974	27	raw
		B-9	24 720	27	raw
		B-10	24 306	27	raw
	Total		50 000		
Spain Lot No 70/2006 EC	Tarancón	B-8	5 740	27	raw
		C-1	20 923	27	raw
		C-2	23 337	27	raw
	Total		50 000		
France Lot No 71/2006 EC	Viniflhor — Longuefuye F-53200 Longuefuye	5	4 900	27	raw
		14	22 500	27	raw
		19	22 600	27	raw
	Total		50 000		
France Lot No 72/2006 EC	Viniflhor — Port-la-Nouvelle Entrepôt d'alcool Av. Adolphe-Turrel, BP 62 F-11210 Port-la-Nouvelle	4	47 400	27	raw
		12B	2 600	28	raw
	Total		50 000		
France Lot No 73/2006 EC	Viniflhor — Port-la-Nouvelle Entrepôt d'alcool Av. Adolphe-Turrel, BP 62 F-11210 Port-la-Nouvelle	29	18 800	27	raw
		12B	200	28	raw
		12	9 200	27	raw
		32	21 800	27	raw
	Total		50 000		

Member State and lot number	Location	Vat No	Quantity in hectolitres of alcohol at 100 % vol.	Regulation (EC) No 1493/1999 (Article)	Type of alcohol
France Lot No 74/2006 EC	Deulep Bld Chanzy F-30800 Saint-Gilles	603B	4 800	30	raw
		603	4 250	27	raw
		604	8 850	27	raw
		606	6 230	27	raw
		608	5 560	27	raw
		608B	1 950	28	raw
		607	7 020	27	raw
		605	8 300	27	raw
		605B	820	28	raw
		607B	2 220	28	raw
	Total		50 000		
Italy Lot No 75/2006 EC	Cipriani — Chizzola d'Ala (TN)	33A-28A-32A-17A-18A	9 000	27	raw
	Dister — Faenza (RA)	123A-234A	8 600	27/30	raw
	I.C.V. — Borgoricco (PD)	4A-5A	1 105,38	27/30	raw
	Mazzari — S. Agata sul Santerno (RA)	2A-8A	16 494,62	27	raw
	Tampieri — Faenza (RA)	2A-10A-11A-12A-13A	2 200	27	raw
	Villapana — Faenza (RA)	7A-9A	12 600	27	raw
	Total		50 000		
Italy Lot No 76/2006 EC	Caviro — Faenza (RA)	15A	21 000	27	raw
	Deta — Barberino Val d'Elsa (FI)	7A	4 100	27	raw
	Di Lorenzo — Ponte Valleceppi	21A-19A-18A	8 050	27	raw
	Mazzari — S. Agata sul Santerno (RA)	2A-8A	16 850	27	raw
	Total		50 000		

Member State and lot number	Location	Vat No	Quantity in hectolitres of alcohol at 100 % vol.	Regulation (EC) No 1493/1999 (Article)	Type of alcohol
Italy Lot No 77/2006 EC	Bonollo — Anagni (FR)	15A-29A-40A-42A	38 500	27/30	raw
	Di Lorenzo — Ponte Valleceppi	21A-19A-18A	7 900	27/30	raw
	S.V.A. — Ortona (CH)	10A-11A-12A-13A-17A	3 600	27/30	raw
	Total		50 000		
Italy Lot No 78/2006 EC	Balice Distil. — San Basilio Mottola (TA)	1A	3 750	27	raw
	Balice S.n.c. — Valenzano (BA)	2A-3A-4A-5A-6A-7A-10A	15 500	27	raw
	Caviro — Carapelle (FG)	1C-6C	9 000	30	raw
	D'Auria — Ortona (CH)	7A-8A-12A-40A-61A	10 700	27	raw
	De Luca — Novoli (LE)	5A-6A	5 600	27	raw
	Bertolino — Partinico (PA)	5A-6A-12A	5 450	30	raw
	Total		50 000		
Italy Lot No 79/2006 EC	Bertolino — Partinico (PA)	5A-6A-12A	11 553,94	30	raw
	Trapas — Petrosino (TP)	6A-11A-12A-21A	29 146,06	27/30	raw
	S.V.M. — Sciacca (AG)	1A-2A-31A-44A	2 300	30	raw
	GE.DIS. — Marsala (TP)	13B	7 000	30	raw
	Total		50 000		
Greece Lot No 80/2006 EC	ΟΙΝΟΠΟΙΗΤΙΚΟΣ ΣΥΝΕΤΑΙΡΙΣΜΟΣ ΜΕΣΣΗΝΙΑΣ ΠΥΡΓΟΣ ΤΡΙΦΥΛΙΑΣ (Oinopoiitikos Sinetairismos Messinias)	76	454,96	30	raw
		77	432,94	30	raw
		85	1 782,89	30	raw
		86	1 684,51	30	raw
		87	1 756,59	30	raw
		88	1 753,86	30	raw
		95	873,44	30	raw
		75	444,79	30	raw
		28	904,89	30	raw
		80	463,46	30	raw
		73	387,14	30	raw
		78	27,72	30	raw
		15	1 747,04	30	raw
		16	1 713,67	30	raw
		26	853,18	30	raw
		74	427,35	30	raw
		17	1 743,76	30	raw
		94	887,65	30	raw
		84	1 786,52	30	raw

Member State and lot number	Location	Vat No	Quantity in hectolitres of alcohol at 100 % vol.	Regulation (EC) No 1493/1999 (Article)	Type of alcohol
		79	439,47	30	raw
		93	908,63	30	raw
		83	1 795,78	30	raw
		82	1 758,86	30	raw
		12	1 800,87	30	raw
		11	1 744,16	30	raw
		18	1 707,83	30	raw
		13	1 788,73	30	raw
		96	827,49	30	raw
		81	1 805,07	30	raw
		14	1 800,04	30	raw
		97	915,07	30	raw
		92	908,96	30	raw
		99	911,94	30	raw
		25	905,06	30	raw
		108	432,18	30	raw
		107	432,77	30	raw
		105	448,22	30	raw
		106	441,22	30	raw
		27	897,73	30	raw
		29	579,19	30	raw
		30	667,69	30	raw
		19	901,65	27	raw
		20	892,07	27	raw
		21	900,28	27	raw
		22	899,54	27	raw
		23	882,32	27	raw
		24	653,58	27	raw
		89	847,09	27	raw
		90	880,83	27	raw
		91	856,22	27	raw
		98	878,23	27	raw
		100	745,61	27	raw
	Total		53 380,74		

Member State and lot number	Location	Vat No	Quantity in hectolitres of alcohol at 100 % vol.	Regulation (EC) No 1493/1999 (Article)	Type of alcohol
Portugal Lot No 81/2006	AVEIRO	S 201	31 999,080	27	raw
	S. João da Pesqueira	Inox 12	8 000,920	27	raw
	Total		40 000		

ANNEX II

Intervention agencies holding the alcohol referred to in Article 3

Viniflhor — Libourne	Délégation nationale, 17 avenue de la Ballastière, BP 231, F-33505 Libourne Cedex [Tél. (33-5) 57 55 20 00; télex 57 20 25; fax (33) 557 55 20 59]
FEGA	Beneficencia, 8, E-28004 Madrid [Tél. (34-91) 347 64 66; fax (34-91) 347 64 65]
AGEA	Via Torino, 45, I-00184 Rome [Tél. (39) 06 49 49 97 14; fax (39) 06 49 49 97 61]
Ο.Π.Ε.Κ.Ε.Π.Ε.	Αχαρνών (Aharnon) 241, 10446 Athènes, Grèce (Tél. 210 212 4799; fax 210 212 4791)
IVV — Instituto da Vinha e do Vinho	R. Mouzinho da Silveira, 5, P-1250-165 Lisboa [Tél. (351) 21 350 67 00, fax (351) 21 356 12 25]

ANNEX III

Address referred to in Article 5

European Commission

Directorate-General for Agriculture and Rural Development, Unit D-2

B-1049 Brussels

Fax (32-2) 292 17 75

E-mail: agri-market-tenders@cec.eu.int