

COMMISSION REGULATION (EC) No 1015/2006**of 4 July 2006****opening a tendering procedure for the sale of wine alcohol for use as bioethanol in the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

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,

Article 1

1. Tendering procedure No 6/2006 EC is hereby opened for the sale of wine alcohol for use as bioethanol in the Community.

Whereas:

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.

(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. The total volume put up for sale is 700 000 hectolitres of alcohol at 100 % vol., broken down as follows:

(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.

(a) one lot with the number 54/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(b) one lot with the number 55/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(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.

(c) one lot with the number 56/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(d) one lot with the number 57/2006 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 1820/2005 (OJ L 293, 9.11.2005, p. 8).

⁽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.

(e) one lot with the number 58/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(f) one lot with the number 59/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

- (g) one lot with the number 60/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (h) one lot with the number 61/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (i) one lot with the number 62/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (j) one lot with the number 63/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (k) one lot with the number 64/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (l) one lot with the number 65/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (m) one lot with the number 66/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (n) one lot with the number 67/2006 EC for a quantity of 50 000 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 6/2006 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 26 July 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, 4 July 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 54/2006 EC	Tarancón	A-1	24 503	27	raw
		A-2	2 770	27	raw
		B-4	22 727	27	raw
		Total	50 000		
Spain Lot No 55/2006 EC	Tarancón	A-3	24 659	27	raw
		B-3	24 742	27	raw
		B-4	599	27	raw
		Total	50 000		
Spain Lot No 56/2006 EC	Tarancón	A-2	21 440	27	raw
		B-1	24 551	27	raw
		C-1	4 009	27	raw
		Total	50 000		
Spain Lot No 57/2006 EC	Tarancón	B-4	977	27	raw
		B-5	24 736	27 + 28	raw
		B-6	24 151	27	raw
		C-1	136	27	raw
		Total	50 000		
Spain Lot No 58/2006 EC	Tarancón	A-6	1 036	30	raw
		A-7	24 830	30	raw
		A-8	24 134	30	raw
		Total	50 000		
Spain Lot No 59/2006 EC	Tarancón	A-4	24 505	30	raw
		A-8	467	30	raw
		B-2	12 354	30	raw
		B-7	12 674	30	raw
		Total	50 000		
France Lot No 60/2006 EC	Deulep Bld Chanzy F-30800 Saint-Gilles	503B	1 525	28	raw
		119	22 605	27	raw
		503	7 910	27	raw
		504	810	30	raw
		501	3 550	27	raw
		504	540	28	raw
		501B	5 075	30	raw
		501B	150	28	raw
		508	7 835	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 61/2006 EC	Viniflor — Port-la-Nouvelle Entrepôt d'alcool Av. Adolphe-Turrel, BP 62 F-11210 Port-la-Nouvelle	2	48 215	27	raw
		18	305	27	raw
		18	150	30	raw
		18	1 330	28	raw
	Total		50 000		
France Lot No 62/2006 EC	Viniflor — Port-la-Nouvelle Entrepôt d'alcool Av. Adolphe-Turrel, BP 62 F-11210 Port-la-Nouvelle	3	47 880	27	raw
		18	2 120	28	raw
	Total		50 000		
France Lot No 63/2006 EC	Viniflor — Port-la-Nouvelle Entrepôt d'alcool Av. Adolphe-Turrel, BP 62 F-11210 Port-la-Nouvelle	6	22 025	27	raw
		18	7 230	28	raw
		38	5 325	28	raw
		38	3 195	30	raw
		13	9 910	28	raw
		13	2 315	30	raw
	Total		50 000		
Italy Lot No 64/2006 EC	Bertolino — Partinico (PA)	22A-5A	24 766,65	30	raw
	Trapas — Petrosino (TP)	20A-24A-3A-11A	6 750	30	raw
	Enodistil — Alcamo (TP)	22A	3 933,35	30	raw
	S.V.M. — Sciacca (AG)	30A-32A-35A-36A	3 400	27	raw
	Ge.Dis. — Marsala (TP)	12A-19A-12B-13B	11 150	27/30	raw
	Total		50 000		
Italy Lot No 65/2006 EC	Bonollo — Loc. Paduni-Anagni (FR)	6A-33A-36A	5 300	27/30	raw
	Dister — Faenza (RA)	122A-123A	7 560	27	raw
	I.C.V. — Borgoricco (PD)	5A	315	27	raw
	Mazzari — S. Agata sul Santerno (RA)	1A-2A	25 800	27	raw
	Tampieri — Faenza (RA)	11A-19A	850	27	raw
	Villapana — Faenza (RA)	7A	10 175	27	raw
	Total		50 000		
Italy Lot No 66/2006 EC	Bonollo — Loc. Paduni-Anagni (FR)	6A-33A-36A	26 700	30	raw
	Cavero — Faenza (RA)	15A	17 500	27	raw
	Cipriani — Chizzola d'Ala (TN)	28A	5 800	27	raw
	Total		50 000		
Italy Lot No 67/2006 EC	Balice Distill. — San Basilio Mottola (TA)	2A-3A	2 750	27	raw
	Balice S.n.c. — Valenzano (BA)	41A-42A-59A	12 800	30	raw
	Cavero — Carapelle (FG)	2C-6C	5 500	30	raw
	D'Auria — Ortona (CH)	41A-43A-48A	7 600	27	raw
	De Luca — Novoli (LE)	15A-1A-5A	5 100	27	raw
	Deta — Barberino Val d'Elsa (FI)	4A-8A	1 450	27/30	raw
	Di Lorenzo — Ponte Valleceppi (PG)	3A-10A-22A-21A	11 900	27	raw
	S.V.A. — Ortona (CH)	14A-15A-16A-12A	2 900	27/30	raw
	Total		50 000		

ANNEX II

Intervention agencies holding the alcohol referred to in Article 3

Viniflhoor — Libourne	Délégation nationale, 17 avenue de la Ballastière, BP 231, F-33505 Libourne Cedex (Tel. (33) 557 55 20 00; telex: 57 20 25; Fax (33) 557 55 20 59)
FEGA	Beneficencia, 8, E-28004 Madrid (Tel. (34) 913 47 64 66; Fax (34) 913 47 64 65)
AGEA	Via Torino, 45, I-00184 Roma (Tel. (39-06) 49 49 97 14; Fax (39-06) 49 49 97 61)

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
