

COMMISSION REGULATION (EC) No 707/2007**of 21 June 2007****opening a tendering procedure for the sale of wine alcohol for use as bioethanol in the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 agri-monetary 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,

Article 1

1. Tendering procedure No 10/2007 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 693 375,74 hectolitres of alcohol at 100 % vol., broken down as follows:

- (a) one lot with the number 109/2007 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (b) one lot with the number 110/2007 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (c) one lot with the number 111/2007 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (d) one lot with the number 112/2007 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (e) one lot with the number 113/2007 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (f) one lot with the number 114/2007 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (g) one lot with the number 115/2007 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (h) one lot with the number 116/2007 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (i) one lot with the number 117/2007 EC for a quantity of 39 995 hectolitres of alcohol at 100 % vol.;
- (j) one lot with the number 118/2007 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 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ L 194, 31.7.2000, p. 45. Regulation as last amended by Regulation (EC) No 2016/2006 (OJ L 384, 29.12.2006, p. 38).

⁽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.

- (k) one lot with the number 119/2007 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (l) one lot with the number 120/2007 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (m) one lot with the number 121/2007 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (n) one lot with the number 122/2007 EC for a quantity of 53 380,74 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.
- (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 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 10/2007 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 5 July 2007.

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;

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, 21 June 2007.

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 109/2007 EC	Tarancón	B-4	17 271	27	raw
		B-5	8 667	27	raw
		B-6	24 062	27	raw
	Total		50 000		
Spain Lot No 110/2007 EC	Tarancón	A-5	24 837	27	raw
		A-9	9 594	27	raw
		B-4	7 569	27	raw
		B-5	8 000	27	raw
	Total		50 000		
Spain Lot No 111/2007 EC	Tarancón	A-9	14 771	27	raw
		A-10	24 457	27	raw
		B-5	8 000	27	raw
		B-1	2 772	27	raw
	Total		50 000		
Spain Lot No 112/2007 EC	Tarancón	A-6	24 823	30	raw
		C-7	24 883	30	raw
		C-8	294	30	raw
	Total		50 000		
France Lot No 113/2007 EC	Viniflor — Longuefuye M ^{me} Bretaudeau F-53200 Longuefuye	4	22 550	27	raw
		5	6 385	27	raw
		21	4 645	28	raw
		5BIS	16 420	28	raw
	Total		50 000		
France Lot No 114/2007 EC	Viniflor — Longuefuye M ^{me} Bretaudeau F-53200 Longuefuye	6	22 915	27	raw
		22	4 600	27	raw
		9	22 485	27	raw
	Total		50 000		
France Lot No 115/2007 EC	Viniflor — Port-la-Nouvelle M. Mortefon Entrepôt d'alcool Av. Adolphe-Turrel BP 62 F-11210 Port-la-Nouvelle	2	25 715	27	raw
		23	1 870	30	raw
		2B	13 345	30	raw
		2B	7 990	30	raw
		2B	1 080	28	raw
	Total		50 000		
France Lot No 116/2007 EC	Viniflor — Port-la-Nouvelle M. Mortefon Entrepôt d'alcool Av. Adolphe-Turrel BP 62 F-11210 Port-la-Nouvelle	7	11 710	27	raw
		5B	2 360	28	raw
		7B	640	28	raw
		7B	2 200	30	raw
		23B	1 895	27	raw
		7B	7 790	30	raw
		5B	2 645	30	raw
		5B	1 525	30	raw
		23	3 985	30	raw
		5	15 250	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 117/2007 EC	DEULEP — PSL F-13230 Port-Saint-Louis-du-Rhône	B2	39 995	27	raw
	Total		39 995		
Italy Lot No 118/2007 EC	Cipriani — Chizzola d'Ala (TN)	27a-21a-25a	6 500	27	raw
	Dister — Faenza (RA)	127a	4 700	27	raw
	I.C.V. — Borgorico (PD)	6a	2 200	27	raw
	Mazzari — S. Agata sul Santerno (RA)	4a-15a	27 800	30	raw
	Tampieri — Faenza (RA)	6a-7a-16a	1 500	27	raw
	Villapana — Faenza (RA)	4a-2a-10a	7 300	27	raw
	Total		50 000		
Italy Lot No 119/2007 EC	Bonollo — Paduni (FR)	35a-37a-39a	9 900	27/30	raw
	D'Auria — Ortona (CH)	22a-62a-76a-66a-80a-81a	10 900	27	raw
	Di Lorenzo-Ponte Valleceppi (PG) — Pontenuovo di Torgiano (PG)	19a-5b-6b-7b	19 000	27/30	raw
	S.V.A. — Ortona (CH)	19a	1 900	30	raw
	Balice S.n.c. — Valenzano (BA)	1a-13a-14a-15a-16a-45a	8 300	27	raw
	Total		50 000		
Italy Lot No 120/2007 EC	Bonollo — Paduni (FR)	35a-37a-39a	24 800	27/30	raw
	Cavaro — Faenza (RA)	15a-6a-8a-5a	22 800	27	raw
	Deta — Barberino Val d'Elsa (FI)	7a	2 400	27	raw
	Total		50 000		
Italy Lot No 121/2007 EC	De Luca — Novoli (LE)	1a-8a-9a	3 400	27	raw
	Bertolino — Partinico (PA)	24a-27a	25 000	30	raw
	Balice Distill. — San Basilio Mottola (TA)	4a	3 400	27	raw
	S.V.M. — Sciacca (AG)	2a-3a-4a-8a-21a-30a-35a-36a-37	4 200	27/30	raw
	GE.DIS. — Marsala (TP)	14b	12 000	30	raw
	Trapas — Petrosino (TP)	7a	2 000	27	raw
	Total		50 000		
Greece Lot No 122/2007 EC	Οινοποιητικός συνεταιρισμός Μεσσηνίας Πύργος Τριφυλίας (Oinopoitikos 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		

ANNEX II

Intervention agencies holding the alcohol referred to in Article 3

Viniflor — 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)
O.Π.Ε.Κ.Ε.Π.Ε.	Αχαρνών (Aharnon) 241, 10446 Athènes, Grèce (Tél. (30-210) 212 47 99; fax (30-210) 212 47 91)

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@ec.europa.eu
