

COMMISSION REGULATION (EEC) No 1205/91

of 7 May 1991

opening a standing invitation to tender for the export of 50 000 tonnes of barley
held by the Irish intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European
Economic Community,

Article 1

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 3577/90 ⁽²⁾, and in particular Article 7 (6) thereof,

The Irish intervention agency may, on the conditions laid
down in Regulation (EEC) No 1836/82, open a standing
invitation to tender for the export of 50 000 tonnes of
barley held by it.

Whereas Article 3 of Council Regulation (EEC) No
1581/86 of 23 May 1986 laying down general rules for
intervention on the market in cereals ⁽³⁾, as amended by
Regulation (EEC) No 2203/90 ⁽⁴⁾, lays down that cereals
held by the intervention agencies are to be disposed of by
invitation to tender;

Article 2

Whereas Commission Regulation (EEC) No 1836/82 ⁽⁵⁾,
as last amended by Regulation (EEC) No 2619/90 ⁽⁶⁾, lays
down the procedure and conditions for the disposal of
cereals held by intervention agencies;

1. The invitation to tender shall cover a maximum of
50 000 tonnes of barley to be exported to all third coun-
tries. Customs export formalities must be completed
during the period 1 July to 31 August 1991.

2. The regions in which the 50 000 tonnes of barley
are stored are stated in Annex I to this Regulation.

Whereas, given the current market situation, a standing
invitation to tender should be opened for the export at
the beginning of the 1991/92 cereals marketing year of
50 000 tonnes of barley held by the Irish intervention
agency;

Article 3

Whereas the proposed invitation to tender for the export
of intervention stocks is special in that it will be opened
at the end of the marketing year, from May 1991, but for
deliveries which will not be possible until the new mar-
keting year between 1 July and 31 August 1991; whereas
there should therefore be a derogation from the first para-
graph of Article 16 of Regulation (EEC) No 1836/82,
which provides for a maximum delay of one month
between acceptance of the tender and payment and also a
derogation from the second paragraph of Article 16 of the
said Regulation, application of which would have led to
the price accepted already being increased by monthly
increments for the removal of the cereals from the inter-
vention store in July, whereas export was not scheduled
previously;

1. The export licences shall be valid from their date of
issue, within the meaning of Article 9 of Regulation
(EEC) No 1836/82, until 31 August 1991.

2. Tenders submitted in response to this invitation to
tender shall be admissible only if they are accompanied
by a written undertaking to export during the period 1
July to 31 August 1991. They may not be accompanied
by applications for export licences pursuant to Article 44
of Commission Regulation (EEC) No 3719/88 ⁽⁷⁾.

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

Article 4

1. Notwithstanding Article 7 (1) of Regulation (EEC)
No 1836/82, the time limit for submission of tenders
under the first partial invitation to tender shall expire on
15 May 1991 at 1 p.m. (Brussels time).

2. The time limit for submission of tenders under the
subsequent partial invitations to tender shall expire each
Wednesday at 1 p.m. (Brussels time).

3. The last partial invitation to tender shall expire on
26 June 1991 at 1 p.m. (Brussels time).

4. The tenders shall be lodged with the Irish interven-
tion agency.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.
⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.
⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 5.
⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.
⁽⁶⁾ OJ No L 249, 12. 9. 1990, p. 8.

⁽⁷⁾ OJ No L 331, 2. 12. 1988, p. 1.

Article 5

The successful tenderer shall pay for the cereals before they are removed. Notwithstanding the first paragraph of Article 16 of Regulation (EEC) No 1836/82, the time limit of one month between the date on which the statement referred to in Article 15 of the said Regulation is sent and payment shall not be applicable.

Notwithstanding the second paragraph of Article 16 of Regulation (EEC) No 1836/82, the price payable for export shall be that mentioned in the tender where the cereals are removed in July 1990. The price shall be increased by a monthly increment where the cereals are removed in August 1991.

Article 6

Notwithstanding Article 17 (3) of Regulation (EEC) No 1836/82, the security referred to in Article 8 (2) (c) of the

said Regulation shall not be released until proof is furnished that the export has taken place during the period 1 July to 31 August 1990.

Article 7

The Irish intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be given as specified in the table in Annex II to this Regulation.

Article 8

This Regulation shall enter into force on the day following 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, 7 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Munster	10 315
Leinster	39 685

ANNEX II

Standing invitation to tender for the export of 50 000 tonnes of barley held by the Irish intervention agency

(Regulation (EEC) No 1205/91)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (—) (ECU/tonne)	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.