

COMMISSION REGULATION (EC) No 593/2006**of 12 April 2006****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,

Article 1

1. Tendering procedure No 5/2006 EC is hereby opened for the sale of wine alcohol for use as bioethanol in the 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,

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.

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. The total volume put up for sale is 678 571,8692 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 40/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(b) one lot with the number 41/2006 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 42/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(d) one lot with the number 43/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

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

(e) one lot with the number 44/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(f) one lot with the number 45/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(g) one lot with the number 46/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;

(h) one lot with the number 47/2006 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.

- (i) one lot with the number 48/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (j) one lot with the number 49/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (k) one lot with the number 50/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (l) one lot with the number 51/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (m) one lot with the number 52/2006 EC for a quantity of 50 000 hectolitres of alcohol at 100 % vol.;
- (n) one lot with the number 53/2006 EC for a quantity of 28 571,8692 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 5/2006 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 3 May 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, 12 April 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 40/2006 EC	Tarancón	A-5	24 943	30	raw
		A-6	15 367	30	raw
		D-1	9 690	30	raw
	Total		50 000		
Spain Lot No 41/2006 EC	Tarancón	B-2	12 384	30	raw
		B-8	22 838	30	raw
		D-1	14 778	30	raw
	Total		50 000		
Spain Lot No 42/2006 EC	Tarancón	B-5	24 754	27 + 28	raw
		B-6	24 170	27	raw
		C-1	1 076	27	raw
	Total		50 000		
Spain Lot No 43/2006 EC	Tomelloso	1	46 476	27	raw
		5	3 524	27	raw
	Total		50 000		
Spain Lot No 44/2006 EC	Tomelloso	5	50 000	27	raw
	Total		50 000		
France Lot No 45/2006 EC	Deulep — PSL F-13230 Port-Saint-Louis-du-Rhône	B2	43 430	27	raw
		B2B	810	27	raw
	Deulep Bld Chanzy F-30800 Saint-Gilles-du-Gard	506	5 760	30	raw
	Total		50 000		
France Lot No 46/2006 EC	Viniflor — Port-La-Nouvelle Entrepôt d'alcool Av. Adolphe Turrel, BP 62 F-11210 Port-La-Nouvelle	7	1 435	28	raw
		1	48 565	27	raw
	Total		50 000		
France Lot No 47/2006 EC	Viniflor — Longuefuye F-53200 Longuefuye	1	9 755	28	raw
		2	22 700	27	raw
		1	12 780	30	raw
		21	4 765	28	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 48/2006 EC	Viniflor — Port-La-Nouvelle Entrepôt d'alcool Av. Adolphe Turrel, BP 62 F-11210 Port-La-Nouvelle	10	8 060	27	raw
		7	2 705	28	raw
		7	17 155	30	raw
		8	22 080	27	raw
	Total		50 000		
Italy Lot No 49/2006 EC	Bertoliono — Partinico (PA)	34A-33A-15A-22A	26 080	27 + 30	raw
	Trapas — Petrosino (TP)	7A-8A-24A	9 255	30	raw
	Enodistil — Alcamo (TP)	22A	3 100	30	raw
	S.V.M. — Sciacca (AG)	35A-36A-38A-39A-40A-44A	1 690	27	raw
	GE.DIS — Marsala (TP)	17A-18A-10B-12B	9 875	27 + 30	raw
	Total		50 000		
Italy Lot No 50/2006 EC	Bonollo — Paduni-Anagni (FR)	16A-31A	21 024,23	27 + 30	raw
	Bonollo — Torrita di Siena (SI)	5C-6C-7C-8C-14C-15C-18C-25C-27C	4 155,77	27 + 30	raw
	Deta — Barberino Val d'Elsa (FI)	8A	1 900	27	raw
	Mazzari — S. Agata sul Santerno (RA)	1A-6A	22 920	27	raw
	Total		50 000		
Italy Lot No 51/2006 EC	S.V.A. — Ortona (CH)	14A-20A	2 500	27	raw
	D'Auria — Ortona (CH)	66A-67A-74A-79A	8 000	27	raw
	Balice — San Basilio Mottola (TA)	2A	1 800	27	raw
	Balice S.n.c. — Valenzano (BA)	34A-55A	9 500	27	raw
	De Luca — Novoli (LE)	15A	6 500	27	raw
	Caviro — Carapelle (FG)	2C	7 200	30	raw
	Di Lorenzo — Ponte Nuovo di Torgiano (PG)	1B-2B-7B-3B	14 500	27 + 30	raw
	Total		50 000		
Italy Lot No 52/2006 EC	Caviro — Faenza (RA)	4A-10A-12A-18A-15A	18 000	27 + 30	raw
	Mazzari — S. Agata sul Santerno (RA)	1A-6A	3 080	27	raw
	Dister — Faenza (RA)	121A-122A	7 436,58	27 + 30	raw
	I.C.V. — Borgoricco (PD)	5A	2 183,42	27	raw
	Tampieri — Faenza (RA)	4A-9A-10A	1 300	27	raw
	Villapana — Faenza (RA)	7A-8A	12 000	27	raw
	Cipriani — Chizzola di Ala (TN)	23A-33A	6 000	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
Hungary Lot No 53/2006 EC	Arany Kapu Rt. Kunfehértó, IV. Körzet 6. H-6413	E-3	1 340,7515	27	raw
		E-4	1 352,1015	27	raw
		S-44	1 982,2883	27	raw
	Miskolci Likőrgyár Rt. 3527 Miskolc, Vitéz u. 13. Hrsz.: 4686/5, 4686/2	I/3	127,3955	27	raw
		I/4	133,5340	27	raw
		I/5	133,7691	27	raw
		I/6	136,0673	27	raw
		I/7	133,8871	27	raw
		I/8	133,4023	27	raw
		I/9	128,8093	27	raw
		I/10	136,2838	27	raw
		I/11	123,9665	27	raw
		I/12	136,2838	27	raw
	Tokaj Kereskedőház Rt. 3934 Tolcsva, Petőfi Sándor u. 32. Hrsz.: 142/1	III/31	117,0742	27	raw
		III/32	134,0073	27	raw
		III/33	131,8566	27	raw
		III/34	133,4854	27	raw
	Tokaj Kereskedőház Rt. 3943 Bodrogolaszi, Ország út 19. Hrsz.: 196-198, 200-202	2214440	4 802,7446	27	raw
		2214450	4 909,3598	27	raw
		SZ/I	1 826,5187	27	raw
Tartalékgazdálkodási Kht. 5130 Jászapáti, Tanya Hrsz.: 266	SZ/II	1 837,4081	27	raw	
	SZ/III	1 777,4340	27	raw	
		007	4 760,3785	27	raw
		008	2 143,0620	27	raw
	Total		28 571,8692		

ANNEX II

Intervention agencies holding the alcohol referred to in Article 3

Onivins-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)

Mezőgazdasági és Vidékfejlesztési Hivatal — Soroksári út 22-24, 6th floor, room 630 — H-1095 Budapest,
(Tel. (36) 1-219 45 14; fax (36) 1-219 62 59)

ANNEX III

Address referred to in Article 5

European Commission
Directorate-General for Agriculture and Rural Development, Unit D-2
Rue de la Loi/Wetstraat 200
B-1049 Brussels
Fax (32-2) 298 55 28
E-mail address: agri-market-tenders@cec.eu.int