

**Notice of invitation to tender (special procedure No 6/90/EC)**

(90/C 224/08)

By Regulation (EEC) No 2576/90 <sup>(1)</sup> the Commission opened a special sale by tender No 6/90 EC of vinous alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Council Regulation (EEC) No 822/87 <sup>(2)</sup> and held by the French and Italian intervention agencies.

The places of storage, the volume of alcohol, the analytical characteristics of the alcohol that must be removed first and the relevant intervention measure under Regulation (EEC) No 822/87 are specified at XI below.

Tenderers must comply with the provisions of Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies <sup>(3)</sup> and with the provisions of Commission Regulation (EEC) No 1780/89 <sup>(4)</sup> as last amended by Regulation (EEC) No 2568/90 <sup>(5)</sup> laying down detailed rules of application, and in particular those set out below.

**I. Tenders**

1. Tenders should be submitted for a total quantity of 1 600 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

The first lot consists of 320 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

The price to be paid for a lot other than the first lot shall be that resulting from the adjustment referred to in VII below.

Three months before the time limit for the complete physical removal from the stores of the intervention agencies concerned of the last lot described, the description of the following lot or lots shall be published in the *Official Journal of the European Communities*.

2. Tenders must be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi, B-1049 Brussels, or submitted at 120 rue de la Loi, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender submitted under special procedure No 6/90/EC (alcohol), DG VI-E-3 — to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. *Tenders must reach the Commission not later than 12 noon (Brussels time) on 25 September 1990.*

5. Each tender must state the name and address of the tenderer and must:

(a) include a reference to special procedure No 6/90 EC;

(b) specify the price tendered for the first lot, expressed in ecus per hectolitre of alcohol at 100 % vol;

(c) include the undertakings and statements referred to in Article 30 of Regulation (EEC) No 1780/89.

6. Each tender must be accompanied by proof that a tendering security of ECU 3 per hectolitre of alcohol at 100 % vol has been lodged with the following intervention agencies:

either

SAV, acting on behalf of Onivins, Zone industrielle, avenue de la Ballastière, BP 231, F-33505 Libourne Cedex; tel. 57 51 03 03, telex 572025, telefax: 57250725

or

AIMA, Via Palestro 81, I-00185 Roma; tel. 47 49 91, telex 620331, 620252, 613003, telefax 4453940/4953940,

in respect of the total quantity put up for sale. This security shall be lodged with each intervention agency in respect of the quantity with which it is concerned in proportion to the quantities of all the lots described in this notice. Namely, in France an amount of ECU 2 175 000 and in Italy an amount of ECU 2 625 000.

<sup>(1)</sup> OJ No L 243, 6. 9. 1990, p. 24.

<sup>(2)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(3)</sup> OJ No L 346, 15. 12. 1988, p. 7.

<sup>(4)</sup> OJ No L 178, 24. 6. 1989, p. 1.

<sup>(5)</sup> OJ No L 243, 6. 9. 1990, p. 11.

7. The conversion rates to be used for the conversion of ecus into national currency shall be, in accordance with Article 34 of Regulation (EEC) No 1780/89, those applicable on the day before the publication of the notice of the invitation to tender (special procedure No 6/90/EC in the 'L' series of the *Official Journal of the European Communities* in Annex to Commission Regulation (EEC) No 2492/90 <sup>(1)</sup>).

## II. Samples and examination of the alcohol

1. Any interested party may, on application to the intervention agencies concerned and on payment of ECU 2 per litre or the equivalent thereof in French francs or Italian lire, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agencies concerned.

However, the volume delivered per interested party and per vat may not exceed five litres.

2. The intervention agencies shall supply, on application, any additional information concerning the characteristics of the alcohol offered for sale.

## III. Destination and use of the alcohol

1. The alcohol offered for sale must be intended for use as motor fuel within the Community. Any processing for this purpose must take place within the Community.
2. For the purposes of verifying that the alcohol is used for its intended purpose, the successful tenderer must provide the intervention agency concerned with evidence of such use in the form of a certificate stating that the alcohol has in fact been used for its intended purpose. This certificate shall be issued by the competent intervention agency in the Member State on whose territory the alcohol has been used.

## IV. Award of contract

The total quantity of alcohol put up for sale shall be awarded to the tenderer offering the best terms. Where two or more tenders are at identical prices, the contract shall be awarded by drawing lots.

The Commission shall immediately inform each tenderer, in writing and by recorded delivery, of the result of his tender. It shall similarly inform the intervention agencies holding the alcohol.

## V. Statement of award

The successful tenderer shall obtain a statement of award from the intervention agency concerned within the 20 days following receipt of the Commission's notification of acceptance, at the same time as he supplies proof of the lodging of a removal guarantee of ECU 40 per hectolitre of alcohol at 100 % vol for the removal of the alcohol constituting the first lot.

## VI. Taking over — removal

1. The intervention agencies holding the alcohol shall agree with the successful tenderer on a provisional timetable for the removal of the alcohol in each lot.
2. The alcohol must have been removed from the storehouses of the intervention agencies concerned within a maximum period set on the basis of the quantity of alcohol in the lots and counting one month for each complete instalment of 54 000 hectolitres at 100 % vol.

Removal of the alcohol of a lot other than the first lot may not commence until all the alcohol constituting the preceding lot has been physically removed as from the date specified in the advice laid down in Article 26(1) and (4) of Regulation (EEC) No 1780/89 on condition that the removal guarantee in respect of the alcohol constituting this lot has been lodged.

3. Removal of alcohol from the storehouses of the intervention agencies shall be subject to presentation of a removal order issued by the intervention agencies holding the alcohol once payment has been made for the quantities to be removed.

## VII. Payment

The successful tenderer shall pay the price of the alcohol to be removed to the intervention agencies concerned not later than the day preceding that of the alcohol's removal.

The price to be paid for a lot other than the first lot shall be that of the first lot adjusted by a coefficient indicating the trend in consumer prices, net of tax, for high-octane-petrol, which coefficient shall be calculated by comparing the weekly averages of these prices over the 52 weeks prior respectively to the last date for the submission of tenders under this notice and to the time limit for the removal of the lot immediately preceding that for which the price is to be set. No adjustment shall be made to the price agreed for the first lot if this coefficient is between 90 and 110 %.

<sup>(1)</sup> OJ No L 238, 1. 9. 1990, p. 45.

**VIII. Delays in removal**

As regards the release of the removal guarantee, the consequence of any delay in the removal of the alcohol shall be those set out in Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the system of securities for agricultural products <sup>(1)</sup>.

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<sup>(1)</sup> OJ No L 205, 3. 8. 1985, p. 5.

**IX. Securities**

The lodging and release of securities shall be subject to the relevant Community rules, and in particular, those laid down in Articles 22, 24, 26 and 34 of Regulation (EEC) No 1780/89.

**X. Final date for the use of the alcohol**

All the alcohol awarded to the successful tenderer must have been used within one year of the date of the last removal of the last lot.

## XI. SPECIAL INVITATION TO TENDER No 6/90/EC

## Lot 1

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol 100 % vol.	Reference to Regulation (EEC) No 822/87	Type of alcohol
1. FRANCE	Soterm, 13230 Port Saint-Louis du Rhône		20 978 24 770	39 35	Raw alcohol
	Ets. Verniers 11106 Narbonne Storapro Stockage 45340 Beaune-la-Rolande		69 829 28 433	36 39	
	Total		144 010		
2. ITALY	Lavorazione Soc. Vinacce Modena (Mo)		7 380	35	Raw alcohol
	Dist. Emiliane Srl Napoli (Na) Magazzini 'Ferrara'		7 550	35	
	Dist. Vitrano Spa Balestrate (PA) Magazzini 'Partinico' Magazzini 'Calatafini (TP)'		5 955 3 741 8 634	39 35 35/36	
	Dist. Palma, S. Antimo (Na) Magazzini 'Benevento' Magazzini 'Palo del colle'		13 268 3 032	36 36	
	Dist. Bertolino, Partinico (PA) Magazzini 'Platini (PA)' Magazzini 'Via Mazara (TP)' Magazzini 'Pollasta' Magazzini 'Campobello di Mazara' Magazzini 'Mazara del vallo'		7 569 13 896 41 047 7 256 5 953 13 079	39 35/36 39 36 36 35	
	Cantine Soc. Venete Ponte di Piave (TV)		9 000	35	
	Cantine Coop. Riunite della Reg. Siciliana, Marsala (TP)		14 468 4 312	36 39	
	Giacomo de Luca Sas Novoli (LE)		9 850	35	
	Total		175 990		
	Grand total		320 000		

## Lot 2

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol 100 % vol.	Reference to Regulation (EEC) No 822/87	Type of alcohol
1. FRANCE	Les Pétroles de l'Ouest 49008 Bouchemaine		46 017	35	Raw alcohol
	SAV 53200 Longuefuye		22 497 39 908	39 35/36	
	Storapro Stockage 45340 Beaune-la-Rolande		24 368	39	
	Charbonnière de Saône-et-Loire 71106 Chalons s/Saone		13 200	35	
	Total		145 990		
1. ITALY	Neri Sas Faenza (RA) Magazzini 'Faenza' Magazzini 'Castel Bolognese'		20 023 8 577	35 35	Raw alcohol
	Dist. G. di Lorenzo Pontevalleceppi (PG) Magazzini 'Pontenuovo di Torgiano'		9 450	35	
	Dist. Mazzari; S. Agata sui Santerno (RA)		5 000	35	
	Caviro, Faenza (RA)		35 074	35	
	Balice Salvatore Valenzano (BA)		13 790 7 511	36 39	
	Enodistil Spa, Palermo (PA) Magazzini 'Alcalmo (TP)'		6 480	35	
	Di Trani Spa, Napoli (NA) Magazzini 'Foggia' Magazzini 'Canosa di Puglia'		3 661 1 729	35 36	
	Vinum Spa, Marsala (TP) Magazzini 'Mazara'		4 442 2 848	39 36	
	Dist. del Salento, Gallipoli (LE) Magazzini 'Castel S. Giorgio'		11 170	35	
	Dist. del Sud Spa Rutigliano (BA)		3 488	36	
	Sasriv, Materdomini di Nocera (SA) Magazzini 'Castel S. Giorgio'		1 925	35	
	Dist. San Severo, San Severo (FG) Magazzini 'Castel S. Giorgio'		11 800	35	

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol 100 % vol.	Reference to Regulation (EEC) No 822/87	Type of alcohol
	Tampieri Spa Faenza (RA)		6 039	35/36	Raw alcohol
	Dist. Gist Brocades Spa san Giulietta (PV) Magazzini 'Casteggio'		5 600	35	
	Ge. dis SPA Marsala (TP)		15 403	39	
	Total		174 010		
	Grand total		320 000		